

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 87-67- CUP

Date Submitted 10/23/87

Filing Fee \$ 110.00

Applicant Mr. M Food Stores

Address 5400 South Lamar Dallas, Tx

Phone No. 214/526-5446 ⁴²⁶⁻⁵⁴⁴⁶

Owner XX

Tenant¹

Prospective Purchaser¹

Legal description of property for which Conditional Use Permit is requested (if additional space is needed, the description may be typed legibly on a separate sheet and attached hereto:)²

I hereby request that a Conditional Use Permit be issued for the above described property for:

line The current zoning on this property is PD.
There ^{space} are/are not ^{space} deed restrictions pertaining to the intended use of this property.

I have attached hereto as Exhibit A a plat showing the property which is the subject of this requested Conditional Use Permit and have read the following note concerning the importance of my submitting to the City a sufficient legal description.

Paul Kangas

¹If the applicant is someone other than the owner, written acknowledgement by the owner of the request must also be submitted.

²The legal description is used to publish the notice of the required hearing and in the preparation of the final ordinance granting the Conditional Use Permit. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

SITE PLAN APPLICATIONDate 10/23/87NAME OF PROPOSED DEVELOPMENT Mr. M AdditionNAME OF PROPERTY OWNER/DEVELOPER Whittle Development Inc.ADDRESS 204 Ridge Road Rockwall, Tx. 75087 PHONE _____NAME OF LAND PLANNER/ENGINEER Evans EngineeringADDRESS 2331 Gus Thomasson Dallas, Tx. PHONE 214/328-8133TOTAL ACREAGE .9839CURRENT ZONING PDNUMBER OF LOTS/UNITS one

SIGNED _____

Paul Kangas
Mr M Good Stores

Following is a checklist of items that may be required as a part of the site plan. In addition, other information may be required if it is necessary for an adequate review of a specific development proposal. All information should be provided on a scaled drawing generally not exceeding 18" x 24".

<u>Provided or Shown</u>	<u>Not</u>
<u>On Site Plan</u>	<u>Applicable</u>

XX

1. Total lot or site area - if the site is part of a larger tract include a key map showing entire tract and location of site being planned

XX

2. Location, dimensions, and size of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 ft.

XX

3. Location and type of landscaping, lighting, fencing and/or screening of yards and setback areas

XX

4. Calculation of landscaped area provided

XX

5. Location and dimensions of ingress and egress

-
-
-
-
-

If the site plan is required as a preliminary or development plan under a Planned Development Zoning Classification, the attached applicable items specified for preliminary plans or development plans must be included.

Taken by _____

File No. _____

Date _____

Fee _____

**APPLICATION AND
PRELIMINARY PLAT CHECKLIST**

Date 10/23/87

NAME OF PROPOSED SUBDIVISION Mr. M Addition

NAME OF SUBDIVIDER Whittle Development Inc.

ADDRESS 204 Ridge Road Rockwall, Tx.

Phone _____

OWNER OF RECORD Whittle Development Inc.

ADDRESS see above

PHONE _____

NAME OF LAND PLANNER/SURVEYOR/ENGINEER Evans Engineering

ADDRESS 2331 Gus Thomasson Dallas, Tx

PHONE 214/328-8133

TOTAL ACREAGE .9839

CURRENT ZONING PD

NO. OF LOTS/UNITS one

SIGNED _____

Paul Kangas

The Following Preliminary Plat Checklist is a summary of the requirements listed under Section VII of the Rockwall Subdivision Ordinance. Section VII should be reviewed and followed when preparing a Preliminary Plat. The following checklist is intended only as a reminder and a guide for those requirements. Use the space at the left to verify the completeness of the information you are submitting. If an item is not applicable to your plan, indicate by placing a check mark.

Provided or Shown	Not
<u>On Plat</u>	<u>Applicable</u>

I. General Information

<u>XX</u>	<u> </u>	A. Vicinity map
<u>XX</u>	<u> </u>	B. Subdivision Name
<u>XX</u>	<u> </u>	C. Name of record owner, subdivider, land planner/engineer
<u>XX</u>	<u> </u>	D. Date of plat preparation, scale and north point

II. Subject Property

<u>XX</u>	<u> </u>	A. Subdivision boundary lines
<u>XX</u>	<u> </u>	B. Identification of each lot and block by number or letter
<u>XX</u>	<u> </u>	C. Dimensions, names and description of all public rights-of-ways, improvements, easements, parks and open spaces, both existing and proposed. Locate and identify existing and/or proposed median openings and left turn channelization
<u>XX</u>	<u> </u>	D. Proposed land uses, and existing and proposed zoning categories
<u>XX</u>	<u> </u>	E. Approximate acreage
<u> </u>	<u>XX</u>	F. Typical lot size; lot layout; smallest lot area; number of lots
<u>XX</u>	<u> </u>	G. Building set-back lines adjacent to street
<u> </u>	<u>XX</u>	H. Topographical information and physical features to include contours at 2' intervals, outlines of wooded areas, drainage areas and 50 and 100 year flood limit lines, if applicable
<u> </u>	<u>XX</u>	I. Location of City Limit lines, contiguous or within plat area
<u> </u>	<u>XX</u>	J. Location and sizes of existing utilities
<u> </u>	<u>XX</u>	K. Intended water source and sewage disposal method whether inside City Limits or in extraterritorial jurisdiction

III. Surrounding Area

_____ XX

A. The record owners of contiguous parcels of unsubdivided land; names and lot pattern of contiguous subdivisions; approved concept plans or preliminary plat

_____ XX

B. The approximate location, dimension and description of all existing or proposed lots and blocks, public rights-of-way and easements, parks and open spaces. Specifically indicate how the proposed improvements would relate to those in the surrounding area.

Taken by _____

File No. _____

Date _____

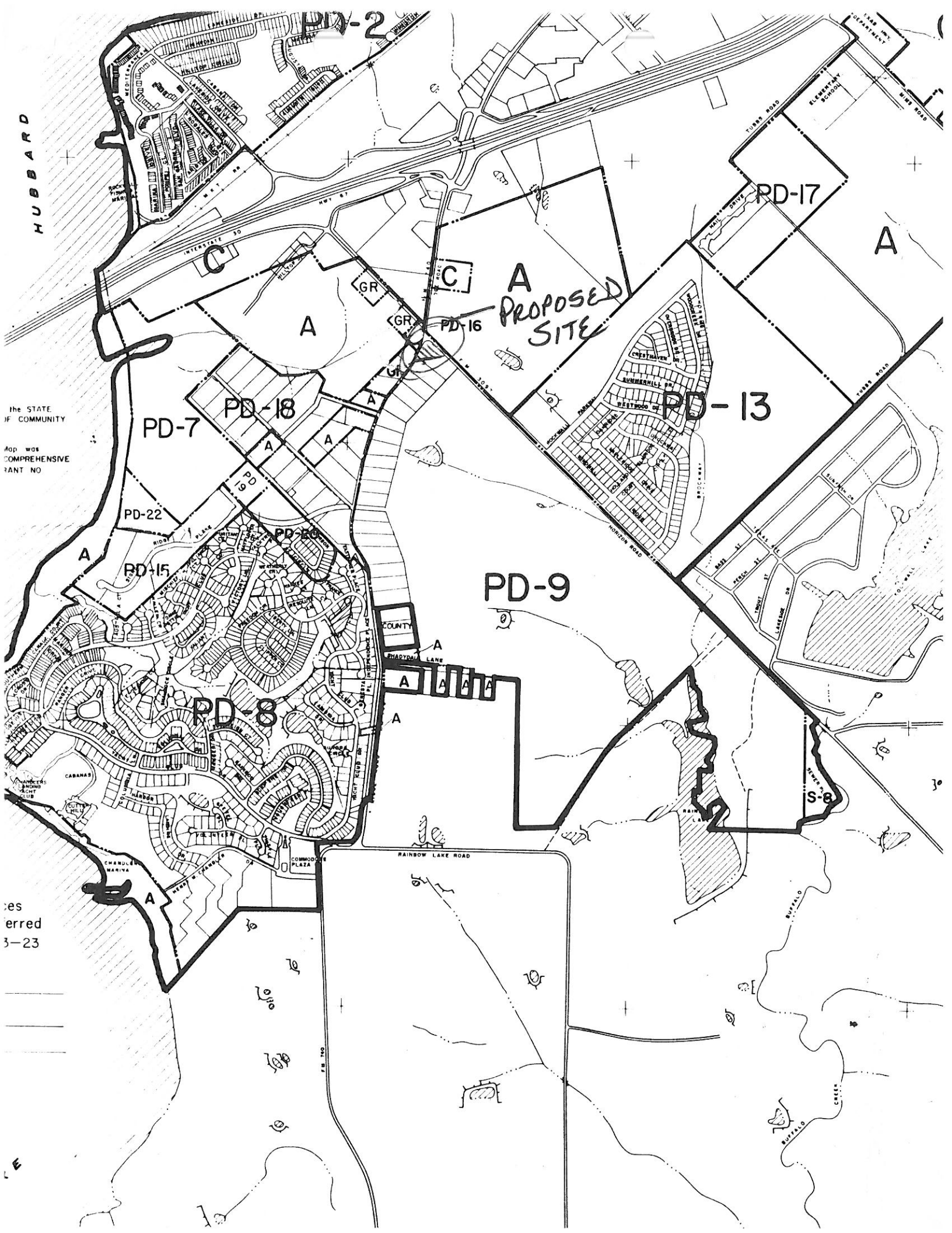
Fee _____

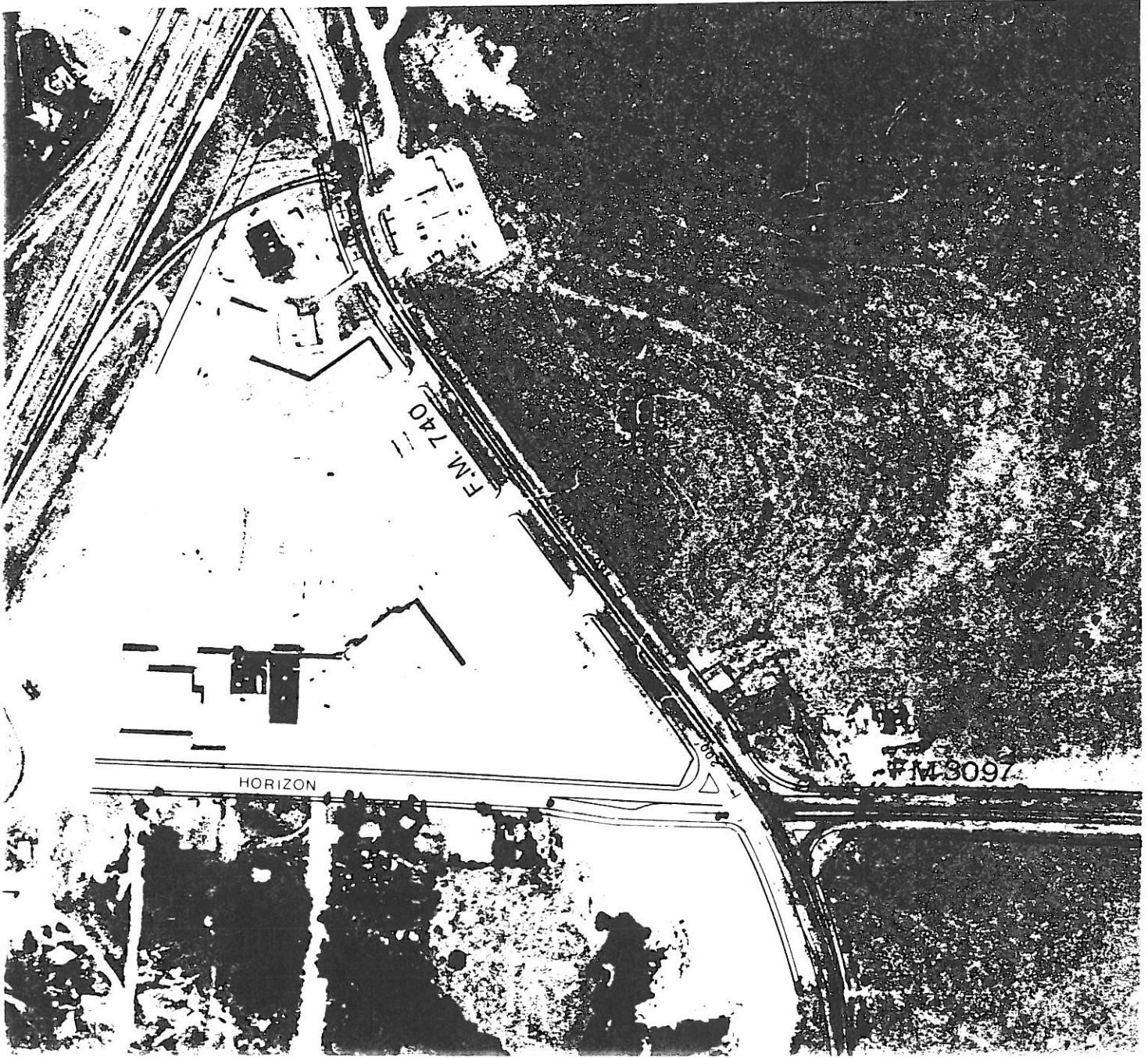
Receipt No. _____

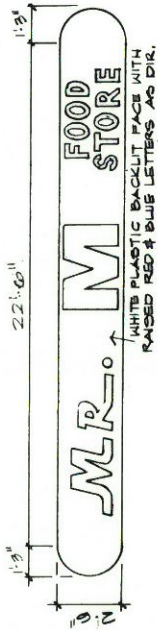
HUBBARD

the STATE
OF COMMUNITY
Map was
COMPREHENSIVE
RANT NO

es
erred
3-23



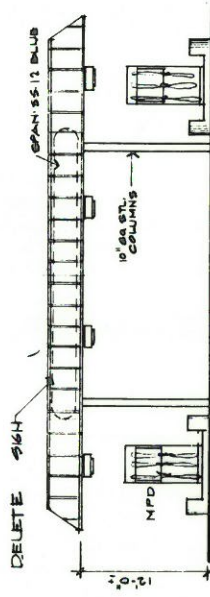




61.153 SF SURFACE AREA

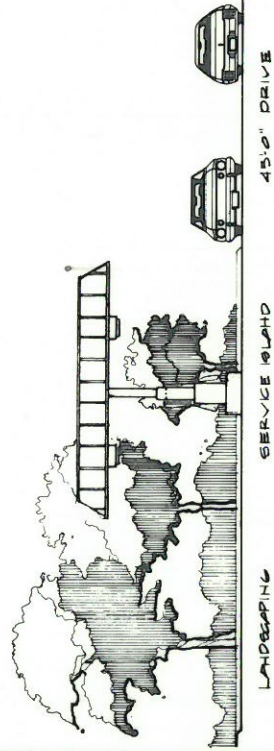
09 Sign Detail

1/4" = 1'-0"



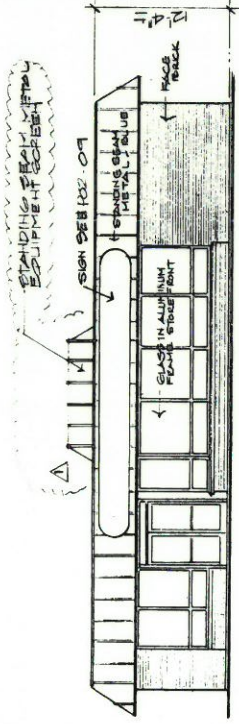
08 Canopy North

1/8" = 1'-0"



07 West Elevation

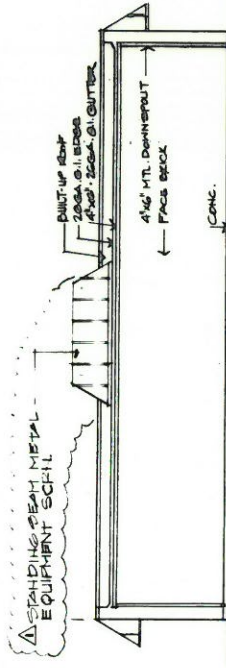
1/8" = 1'-0"



SIGNAGE:
12'-4" X 55'-0" = 676.33 SF X 10% = 67.63 SF

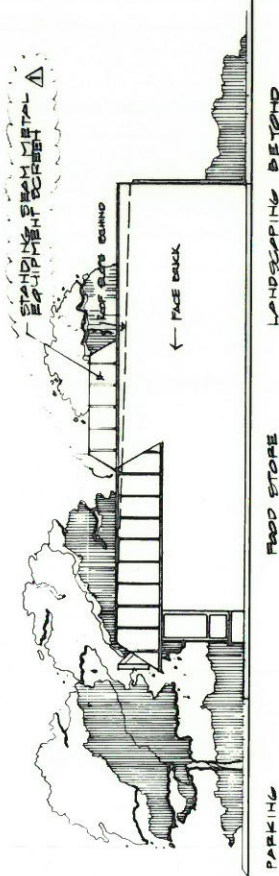
03 North Elevation

1/8" = 1'-0"



02 South Elevation

1/8" = 1'-0"



Mr. M Food Store

Rockwall, Texas

City of Rockwall

Planning and Zoning Applicant Receipt

Date 10/23/87

Applicant Paul Kangas Phone _____

Address _____

Development M. M.

The following items have been received on this date by the City of Rockwall Administrative Office:

☒ Site Plan Application

☒ Prel. Plat Application

☐ Final Plat Application

☐ Zone Change Application

☐ Sign Board Application

☐ Board of Adj. Application

☐ Front Yard Fence Application

☒ CUP Application

18 (☒) sets/site plans - Submission # 1

_____ () sets/prel. plats - Submission # _____

_____ () sets/final plats - Submission # _____

_____ () sets/executed final plats/mylars

_____ () sets/engineer drawings - Submission # _____

☒ Filing fee \$ 10

_____ Other _____

With this application, you are scheduled to appear before the

Planning & Zoning Commission

on December 12, 1987

at 7:30 P.M. at City Hall, 205 W. Rusk, Rockwall, Texas.

Received By: Mary Nichols

December 22, 1987

87019

FEB. 25, 1988

ARCHITECT

Steve A. Madison

2400 Empire Central
Dallas, Texas 75235
214/358-4103

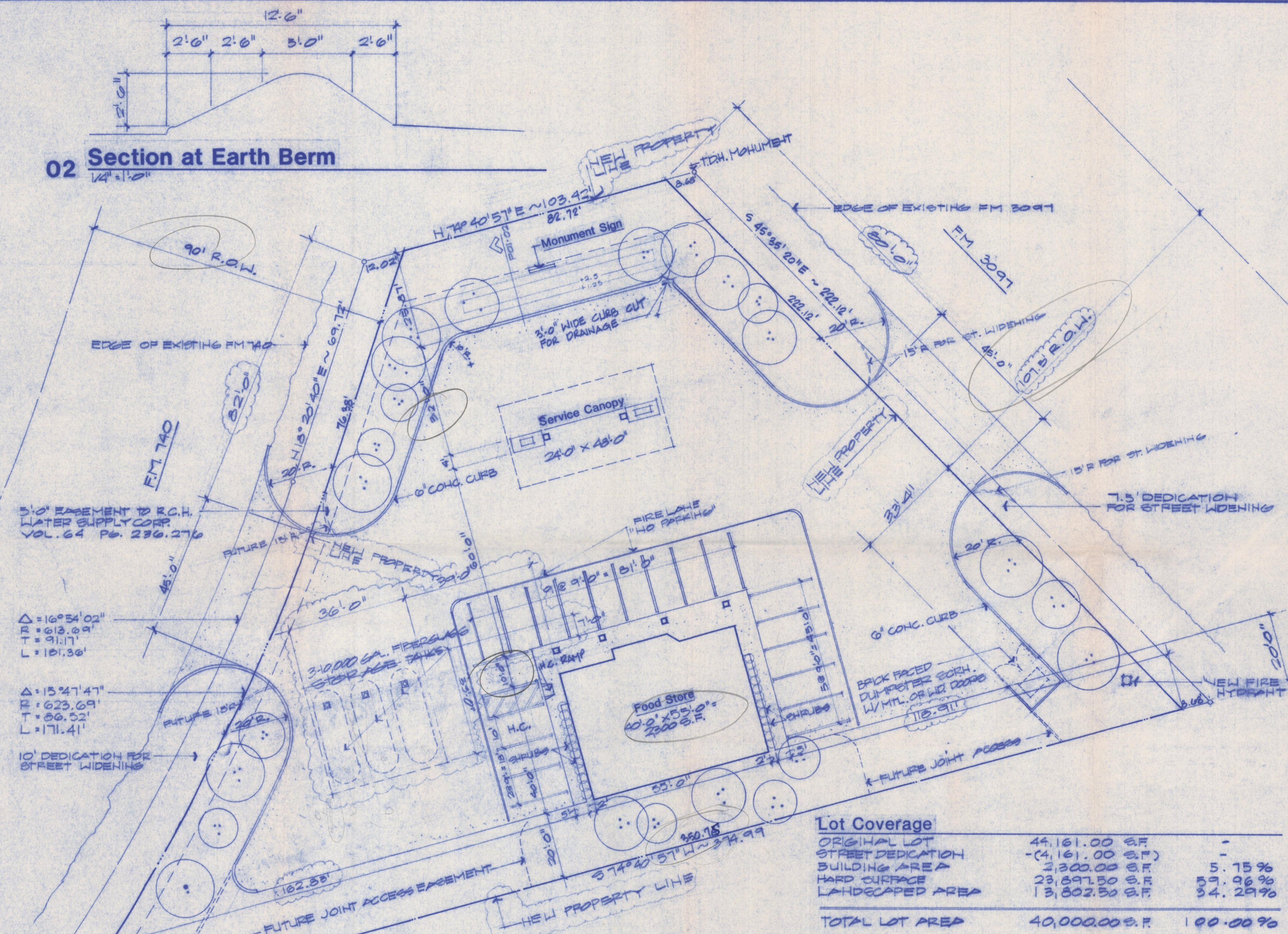


Mr. M Food Store
Rockwall, Texas

P01

02 Section at Earth Berm

1/4" = 1'-0"



Materials

PAVING: 5" CONC. W #3@18" O.C./E.W.
GROUND COVER: BERMUDA - SEED OR SOO CONT. IN UNPAVED AREAS.
TREES: 580 L.F. FRONTAGE ÷ 30 = 19
23 REDOAKS - 2 1/2" CALIPER
SHRUBS: 24 BURFORD HOLLY @ 30" O.C.
IRRIGATION: SUB SURFACE SYSTEM IN ALL PLANTING AREAS.

Lot Coverage

ORIGINAL LOT	44,161.00 S.F.	-
STREET DEDICATION	-(4,161.00 S.F.)	-
BUILDING AREA	3,300.00 S.F.	5.15 %
HARD SURFACE	23,897.50 S.F.	59.96 %
LANDSCAPED AREA	13,802.50 S.F.	34.29 %
TOTAL LOT AREA	40,000.00 S.F.	100.00 %

Parking

2300 S.F. ÷ 200 = 11 REQUIRED SPACES + 1 H.C. SPACE
(TOTAL PROVIDED: 16 - 9'X30' STAND. / 1 - 10'X20' H.C.)

Site Plan

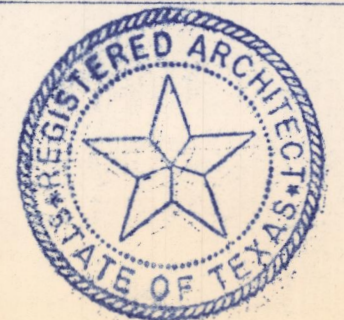
1" = 20'-0"



ARCHITECT

Steve A. Madison

2400 Empire Central
Dallas, Texas 75235
214/358-4103

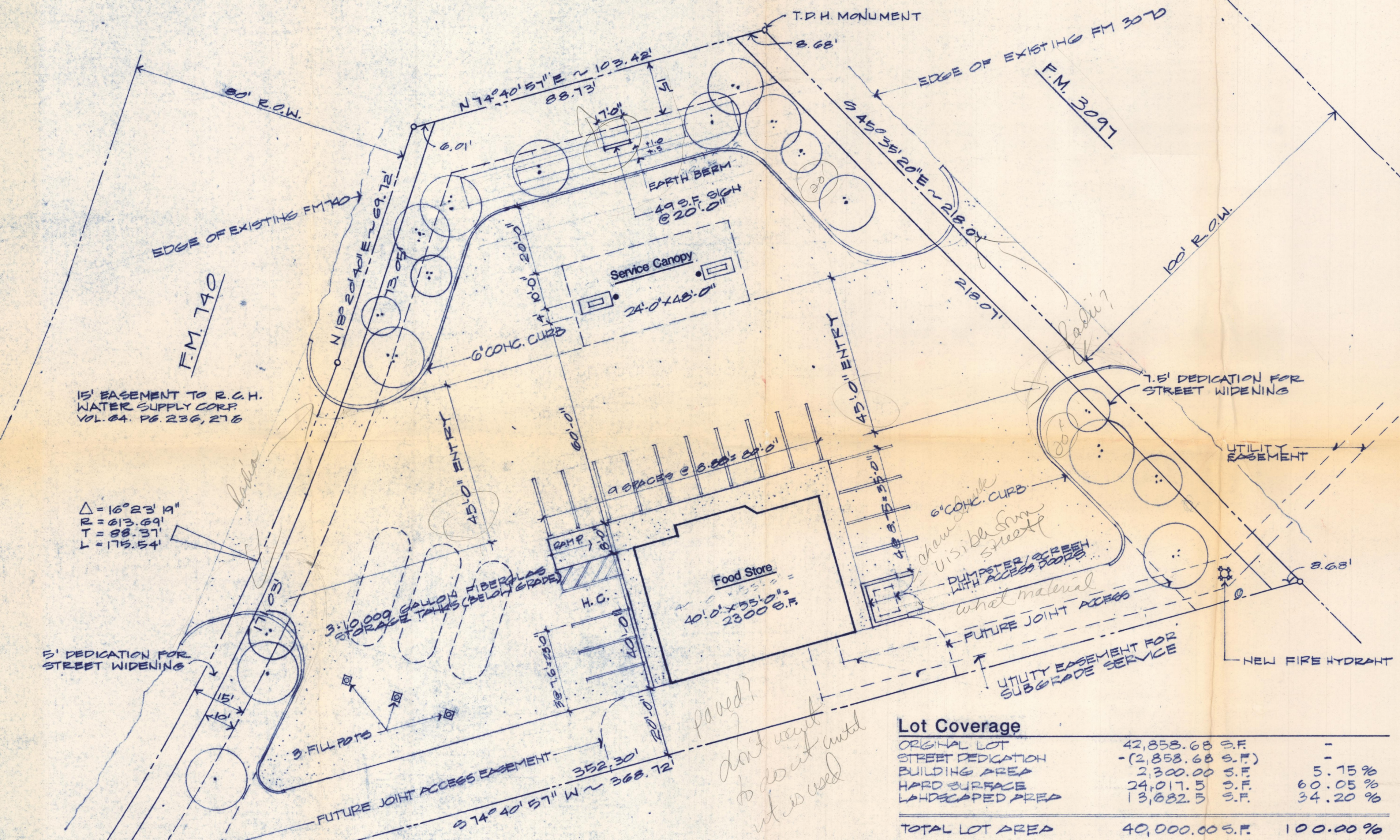


Mr. M Food Store
Rockwall, Texas

P01

1st Submission

1st Sub



paved?
don't want
to do it until
it is used

Materials

- PAVING: 3" CONC. W #3 @ 18" O.C./E.W.
GROUND COVER: BERMUDA - SEED OR 800 CONT. IN UNPAVED AREAS
TREES: 500 L.F. FRONTAGE ÷ 30 = 18 RED OAKS - 2 1/3" CALIPER TRUNKS @ BALL
IRRIGATION: SUB SURFACE SYSTEM IN ALL AREAS

Lot Coverage

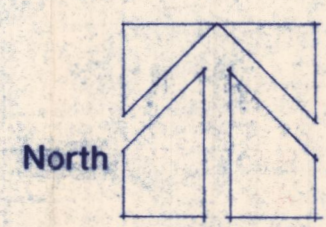
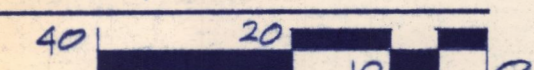
ORIGINAL LOT	42,858.68 S.F.	-
STREET DEDICATION	-(2,858.68 S.F.)	-
BUILDING AREA	2,300.00 S.F.	5.15 %
HARD SURFACE	24,017.5 S.F.	60.05 %
LANDSCAPED AREA	13,682.5 S.F.	34.20 %
TOTAL LOT AREA	40,000.00 S.F.	100.00 %

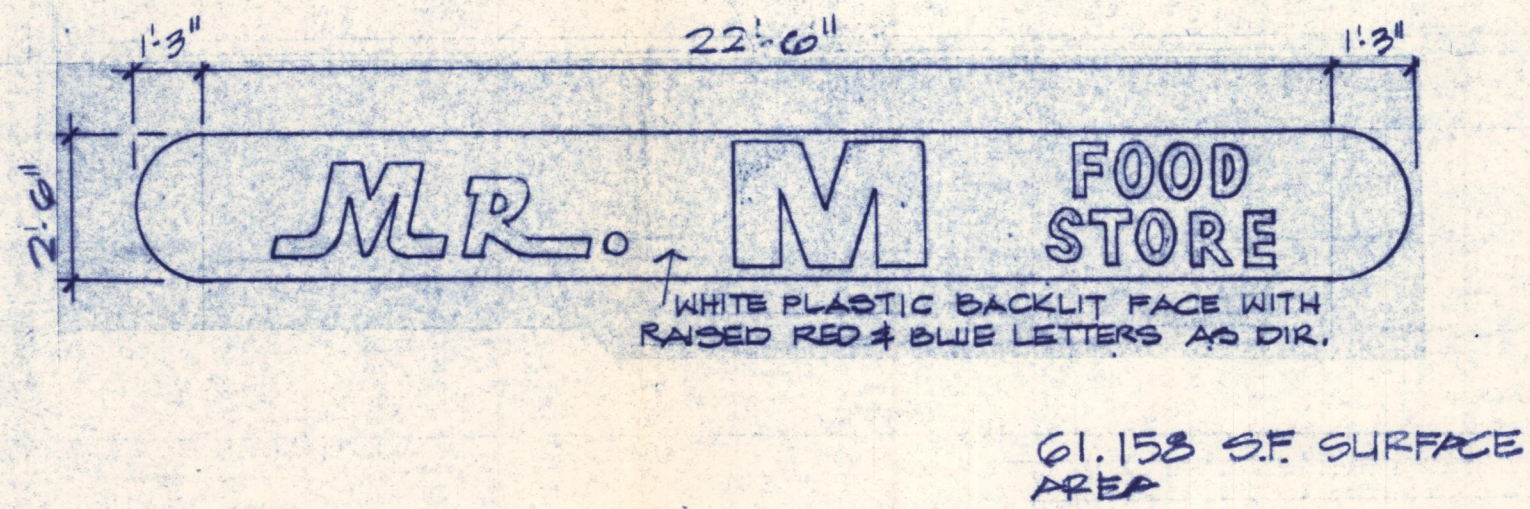
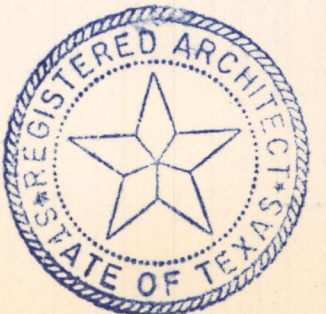
Parking

2200 S.F. ÷ 200 = 11 REQUIRED SPACES + 1 H.C. SPACE
(TOTAL PROVIDED: 13 STANDARD - 3 SMALL - 1 H.C.)

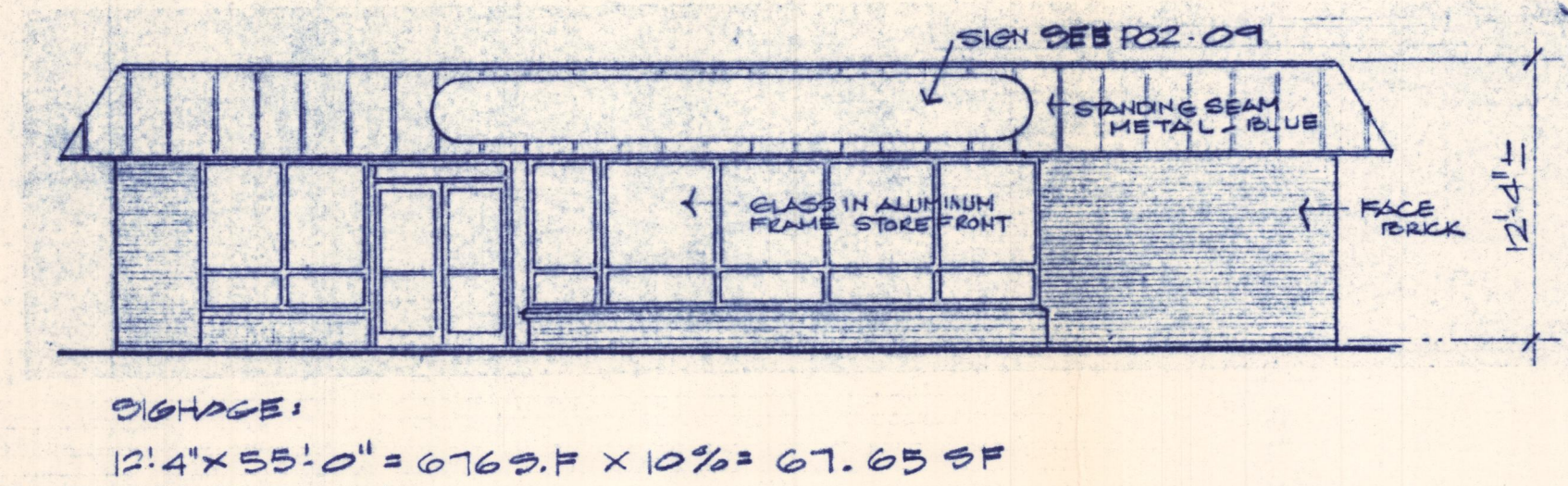
Site Plan

1"=20'-0"

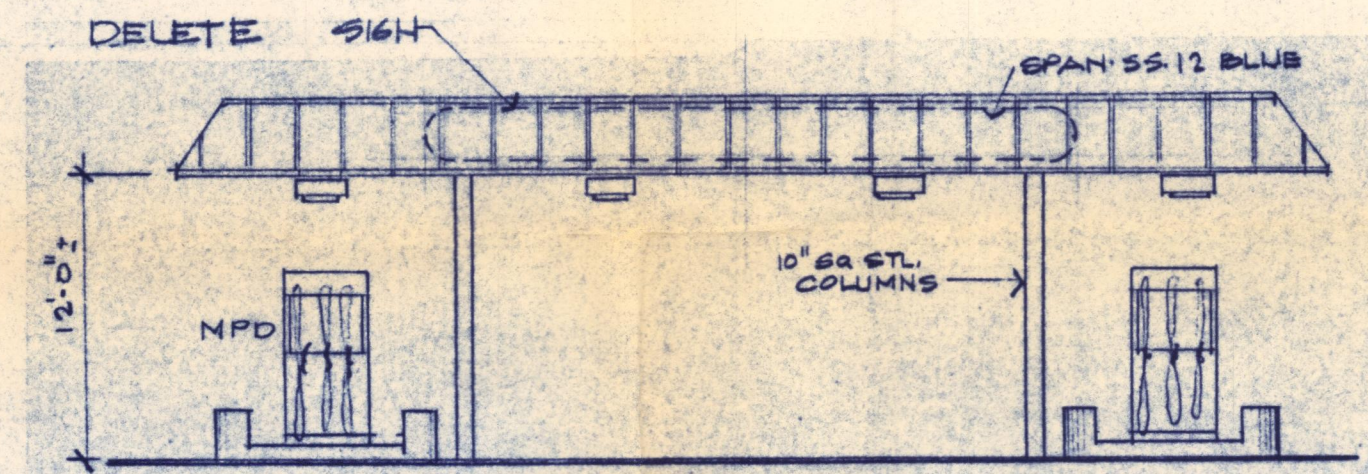




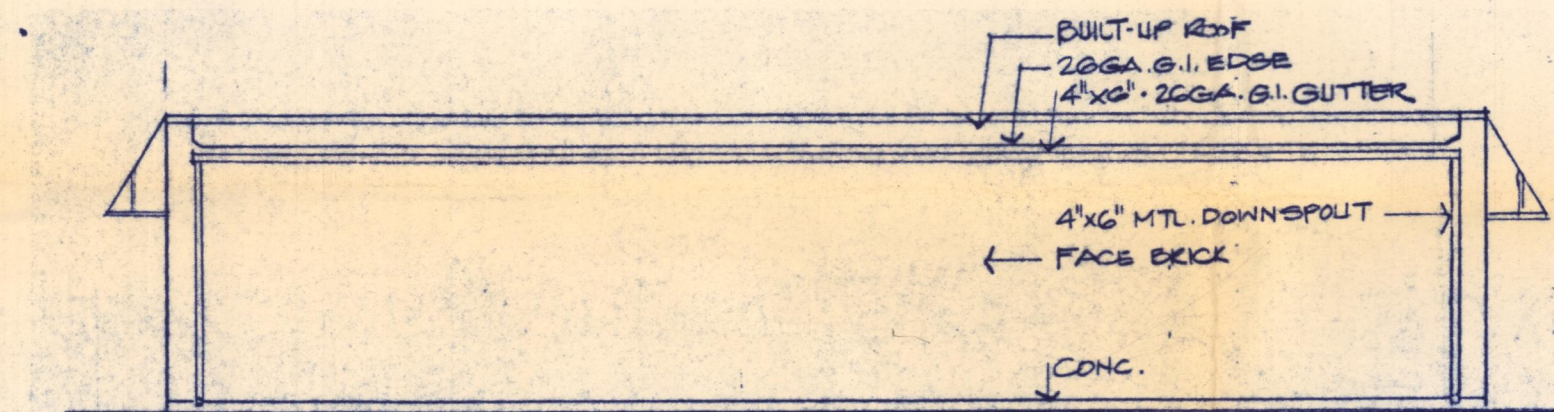
09 Sign Detail
1/4" = 1'-0"



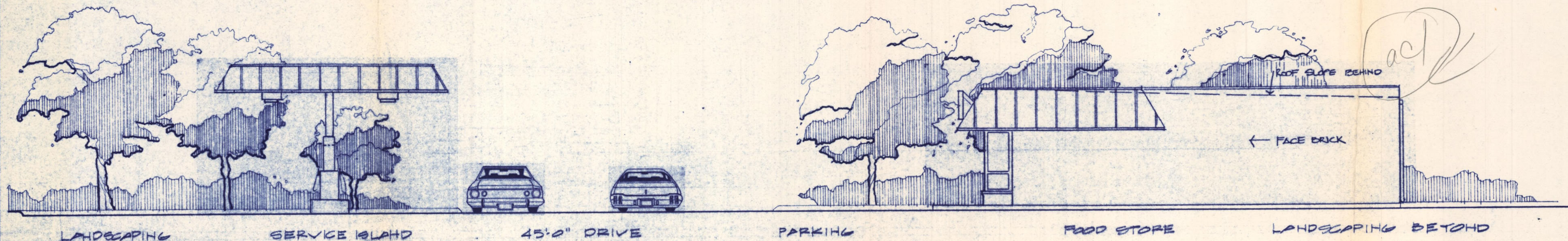
03 North Elevation
1/8" = 1'-0"



08 Canopy North
1/8" = 1'-0"



02 South Elevation
1/8" = 1'-0"



07 West Elevation
1/8" = 1'-0"

October 19, 1987

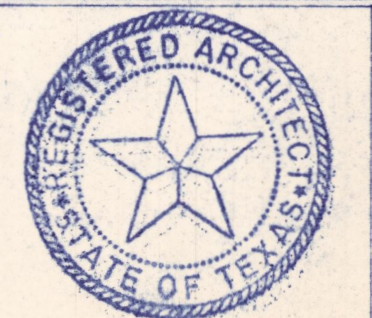
87019

NOV. 06, 1987

ARCHITECT

Steve A. Madison

2400 Empire Central
Dallas, Texas 75235
214/358-4103

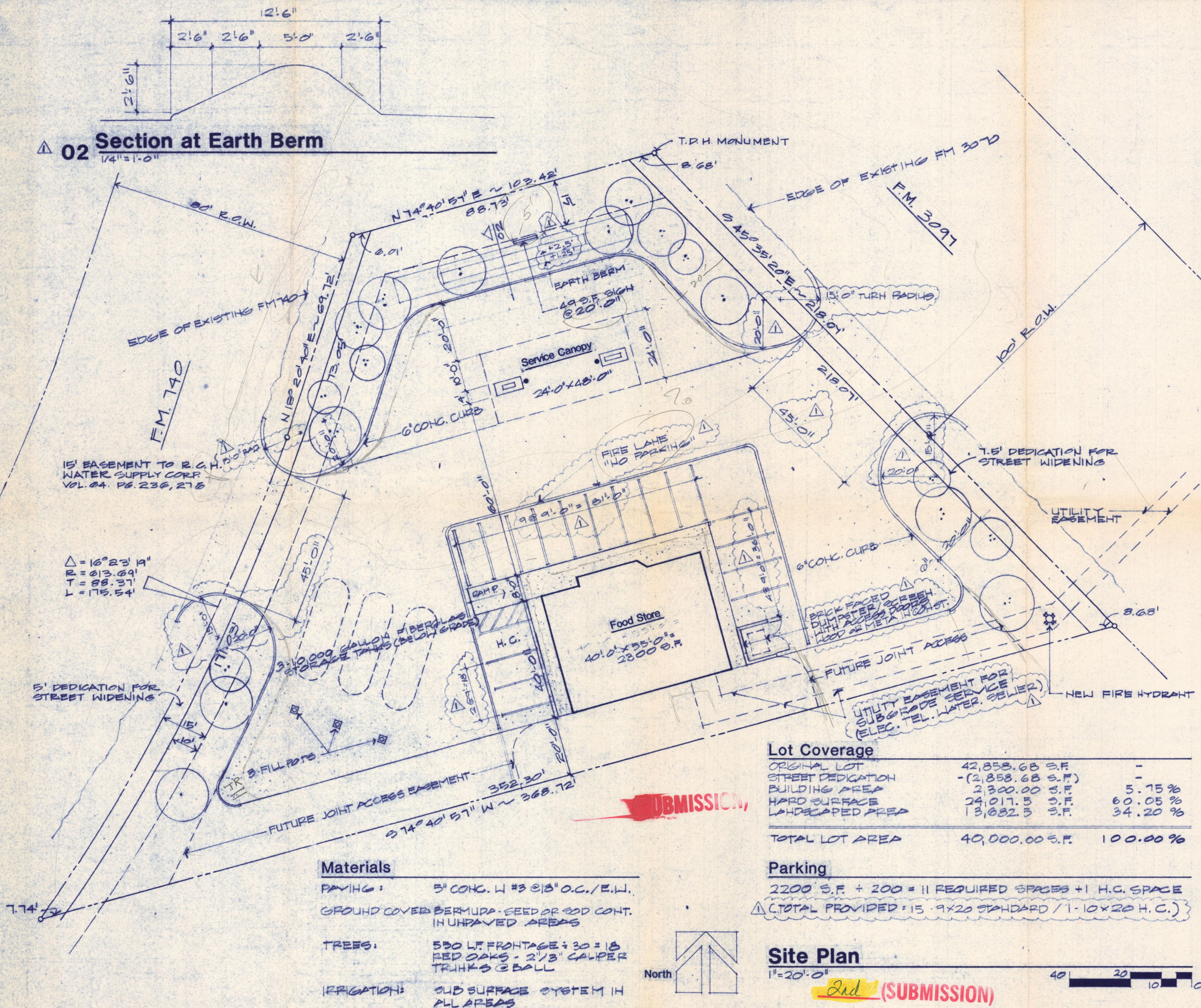


Mr. M Food Store
Rockwall, Texas

P01

Section at Earth Berm

1/4" = 1'-0"



SUBMISSION

2nd Submission

October 19, 1987

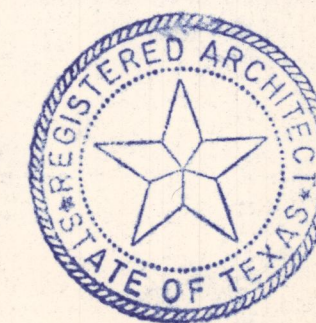
87019

NOV. 06, 1987

ARCHITECT

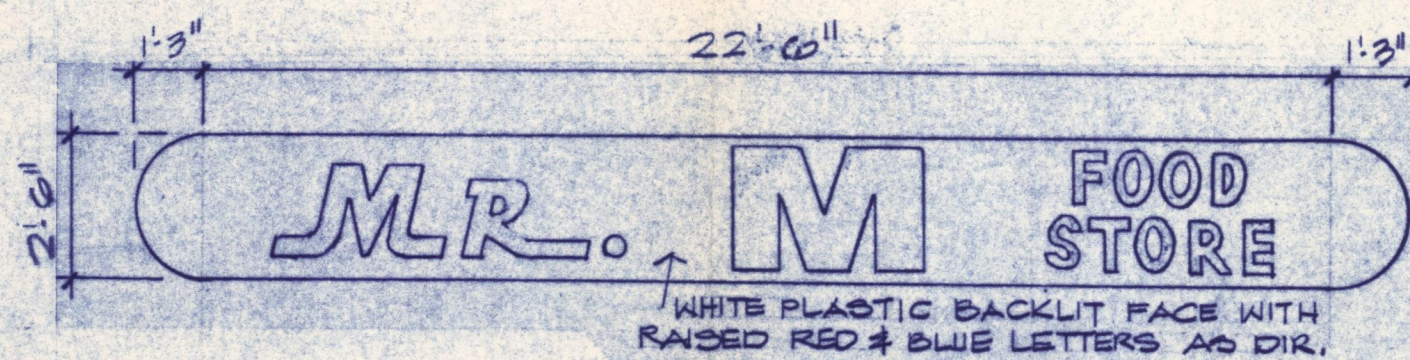
Steve A. Madison

2400 Empire Central
Dallas, Texas 75235
214/358-4103



Mr. M Food Store
Rockwall, Texas

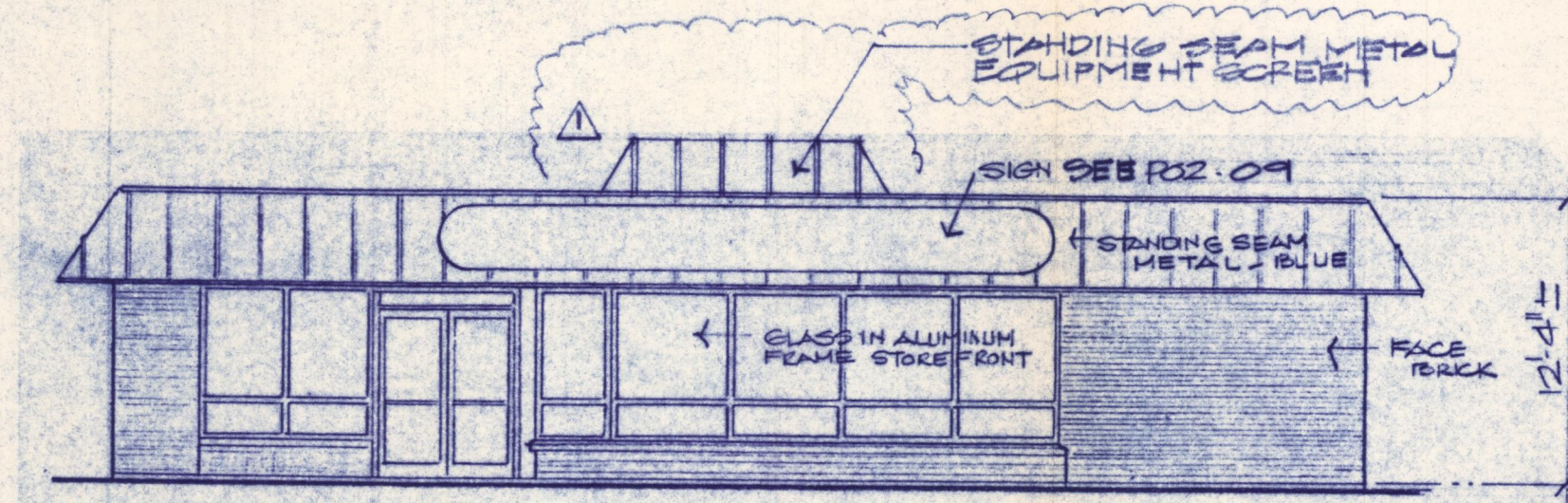
P02



61.153 S.F. SURFACE AREA

09 Sign Detail

1/4" = 1'-0"

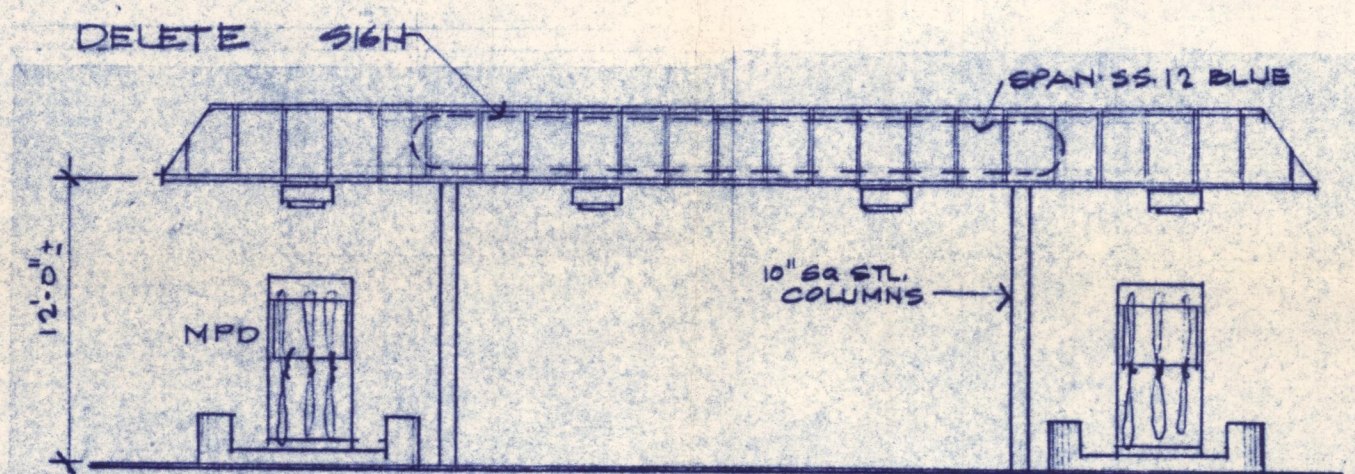


SIGNAGE:

12'-4" X 55'-0" = 676 S.F. X 10% = 67.65 SF

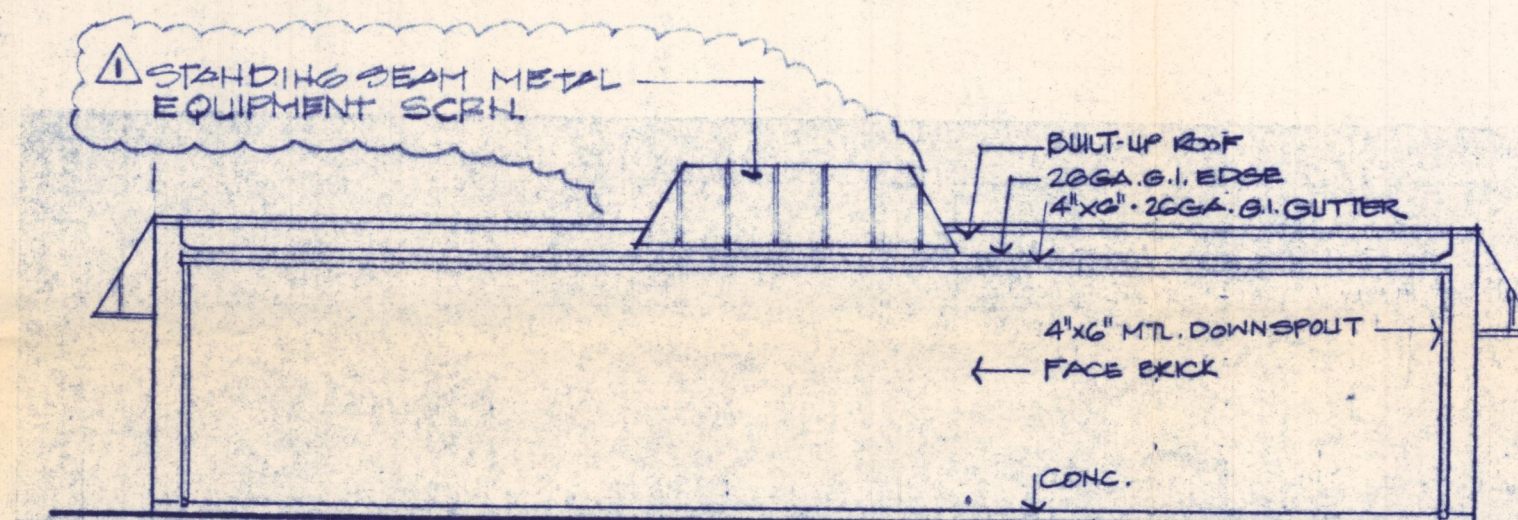
03 North Elevation

1/8" = 1'-0"



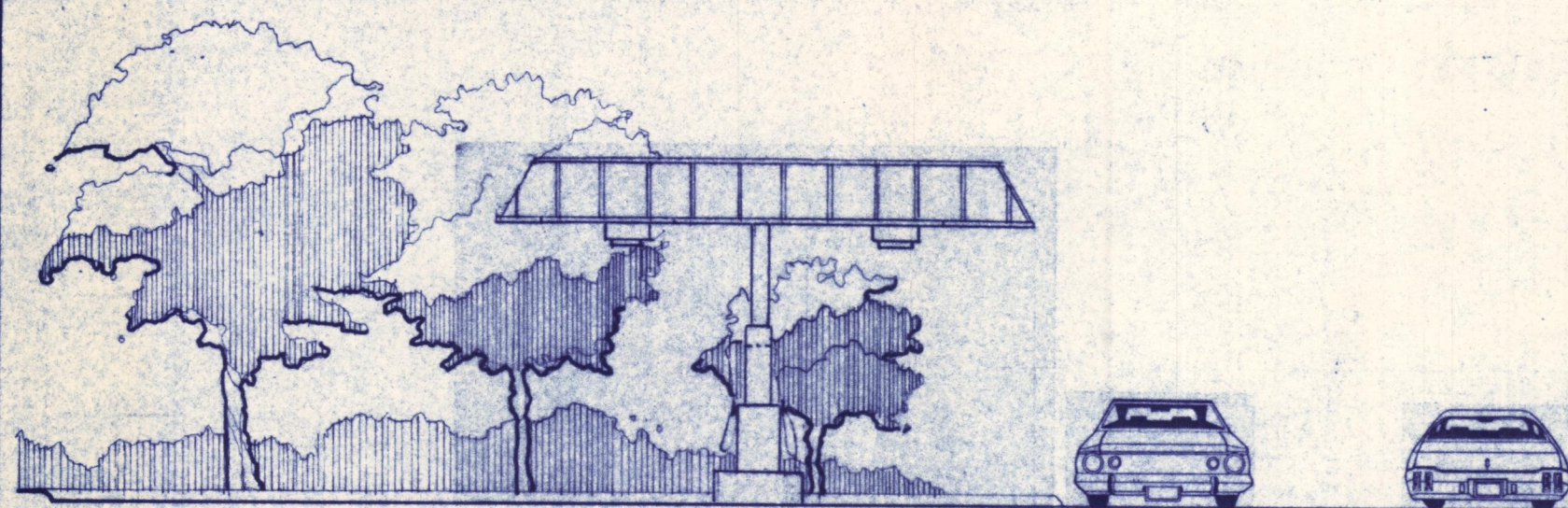
08 Canopy North

1/8" = 1'-0"



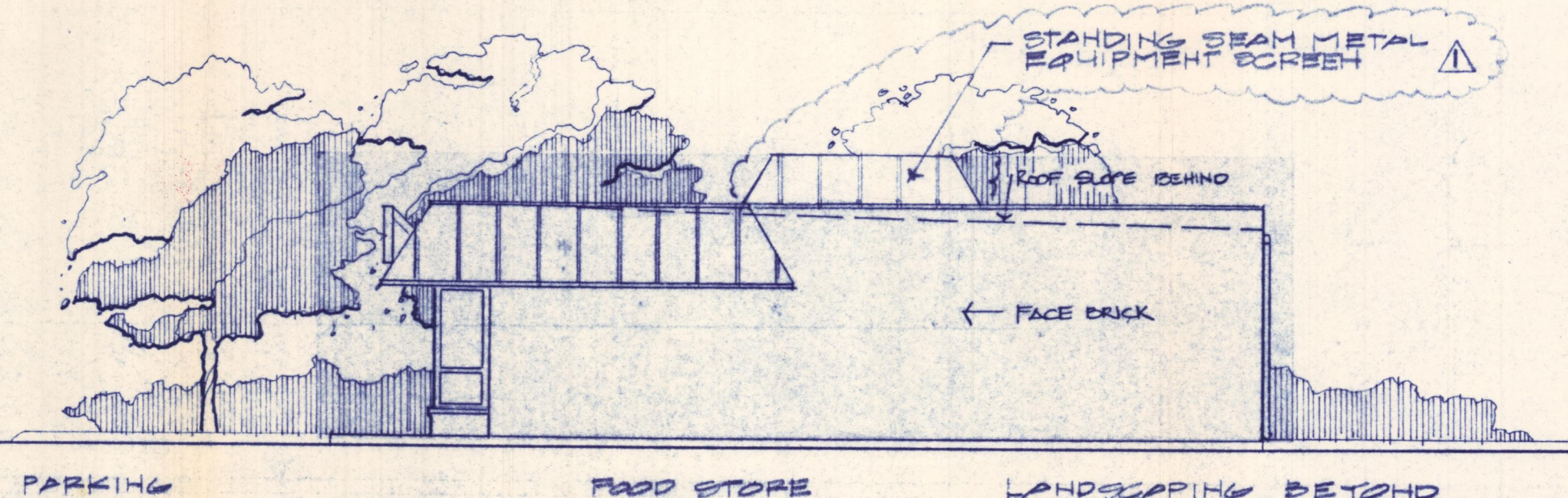
02 South Elevation

1/8" = 1'-0"



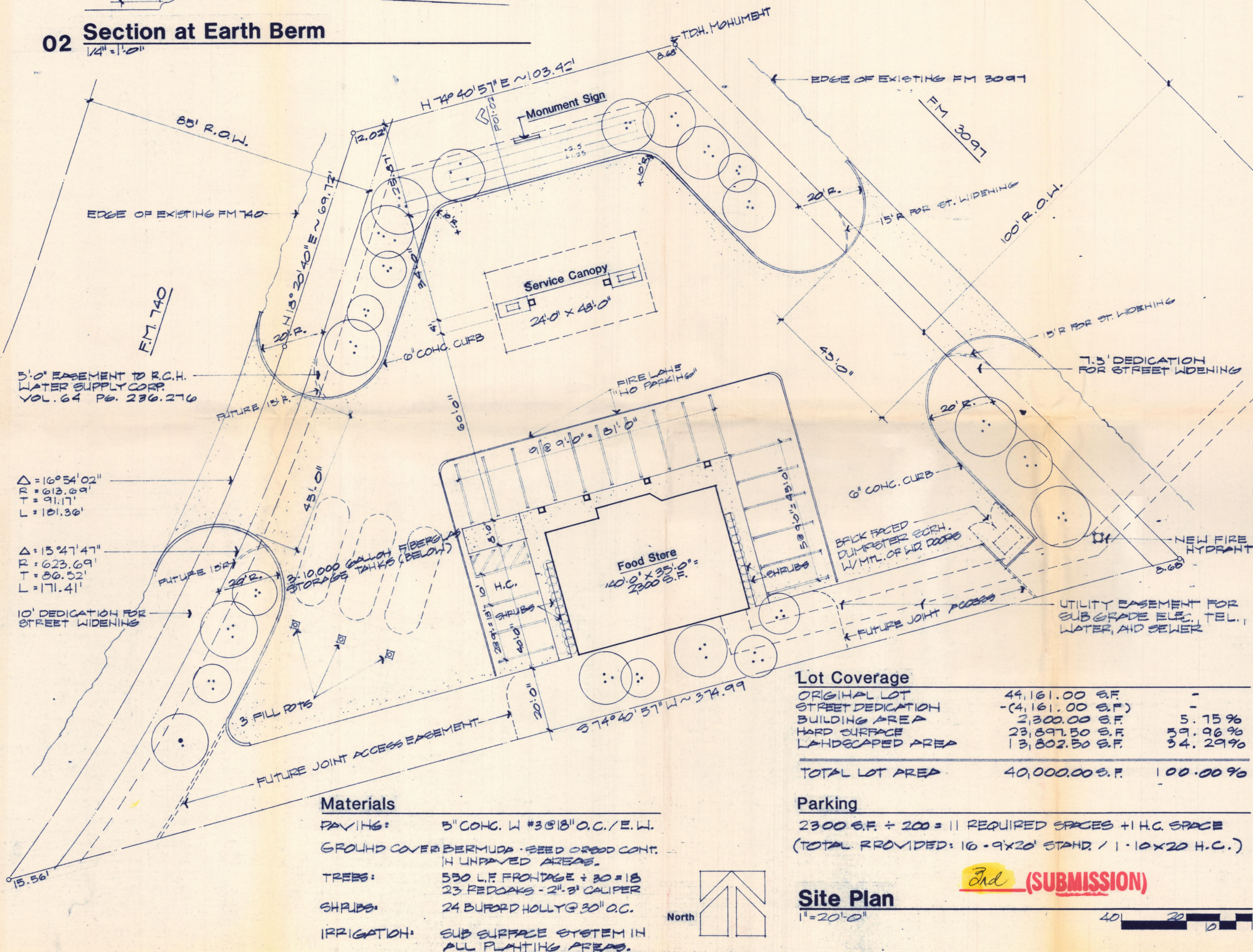
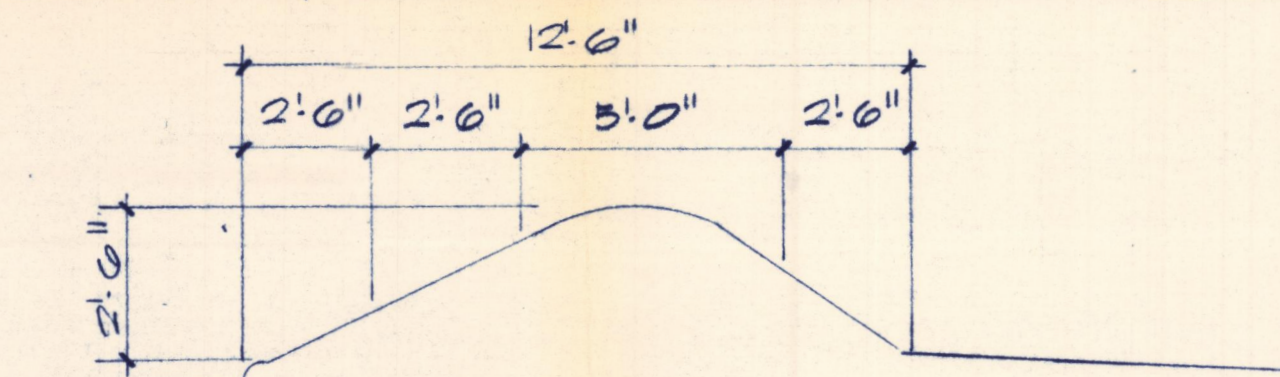
07 West Elevation

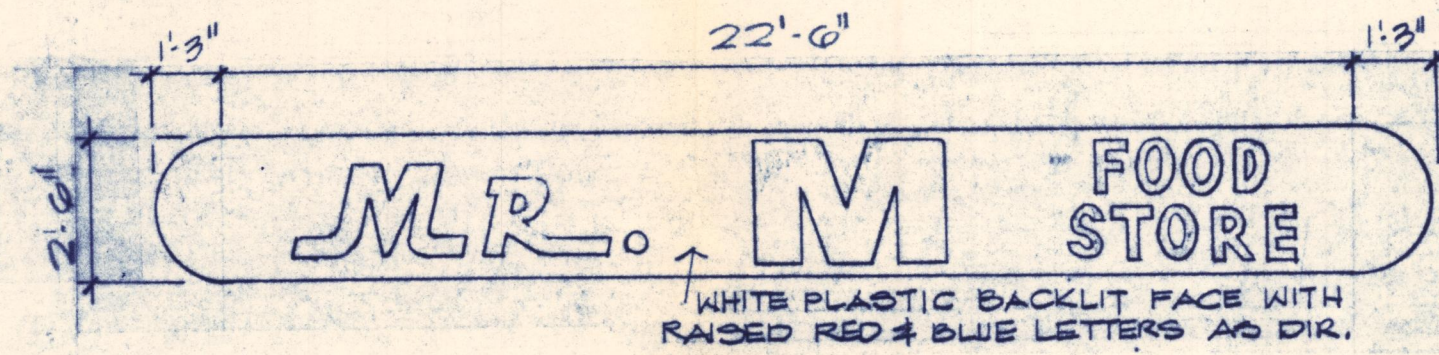
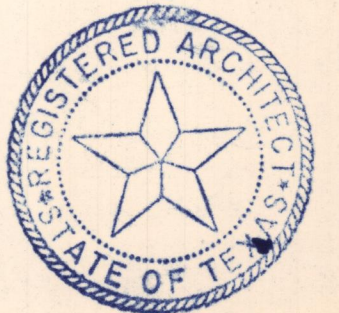
1/8" = 1'-0"





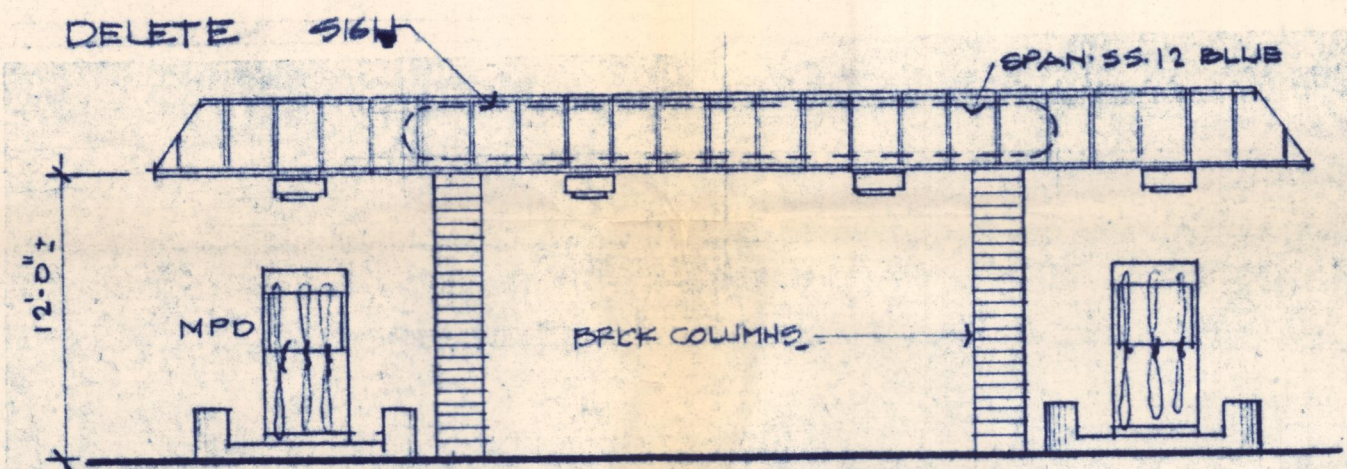
02 Section at Earth Berm



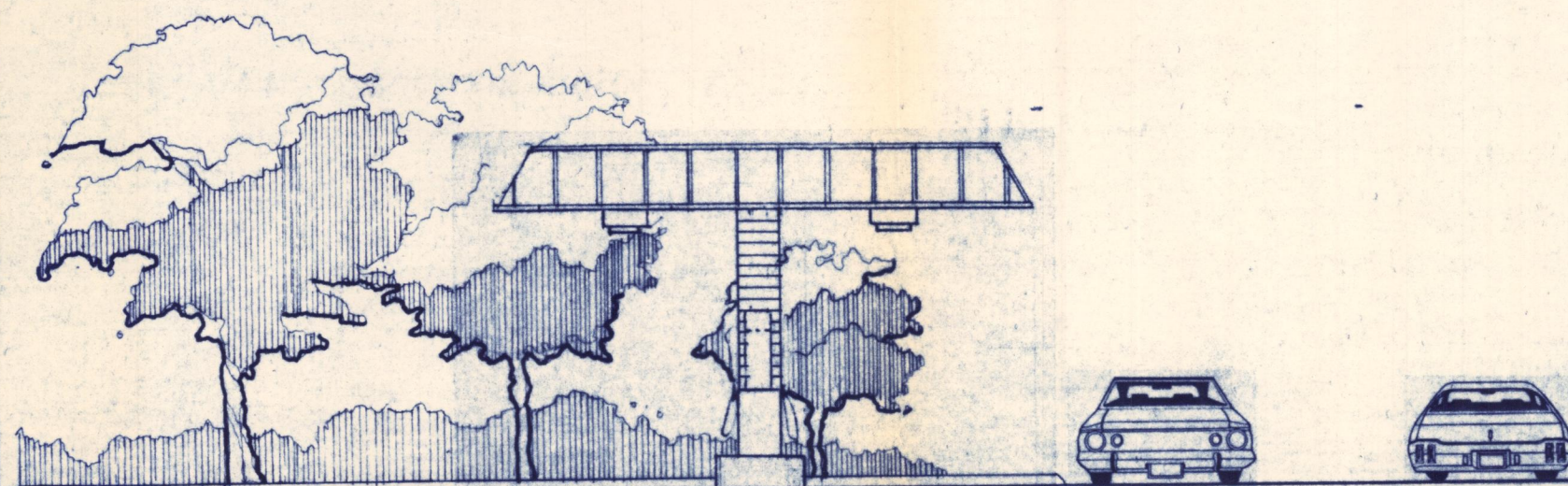


61.158 S.F. SURFACE AREA

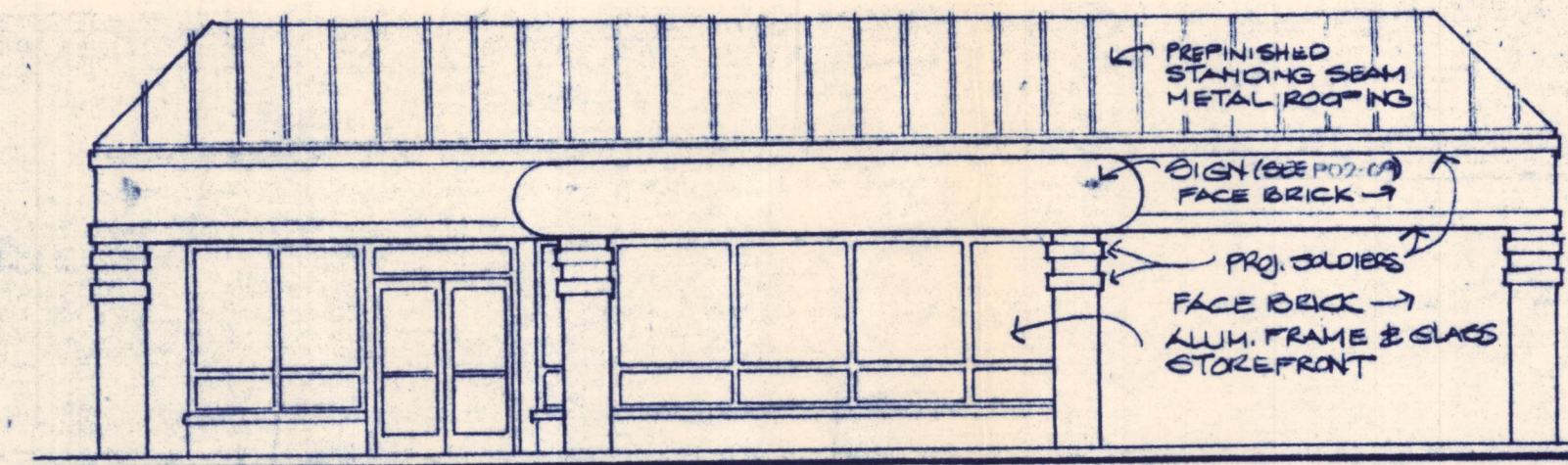
09 Sign Detail
1/4" = 1'-0"



08 Canopy North
1/8" = 1'-0"

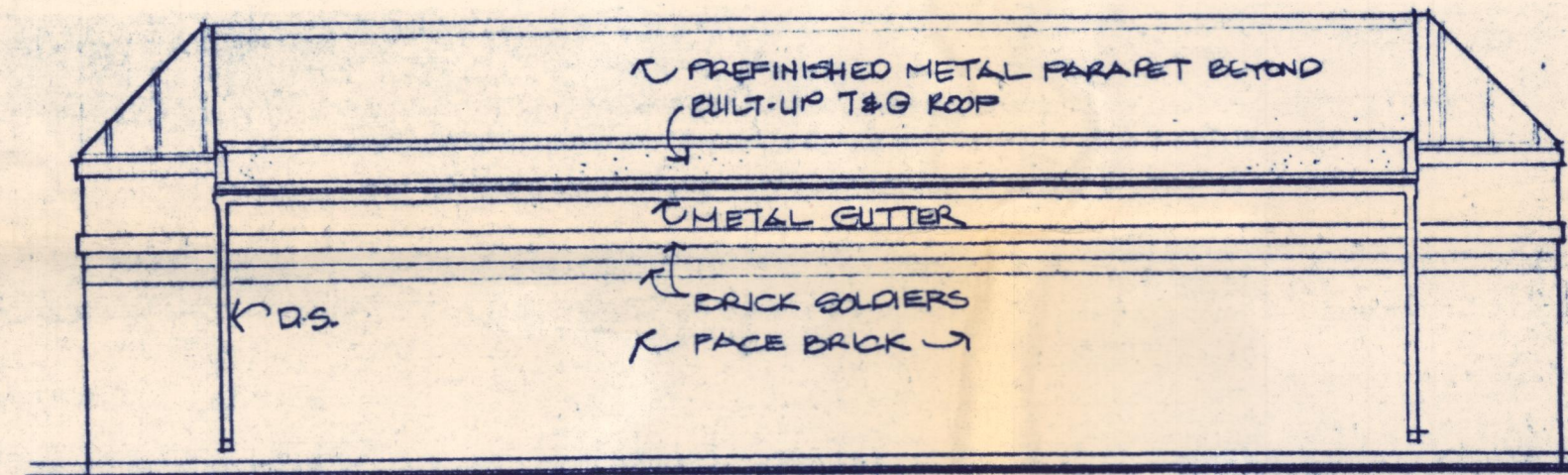


07 West Elevation
1/8" = 1'-0"

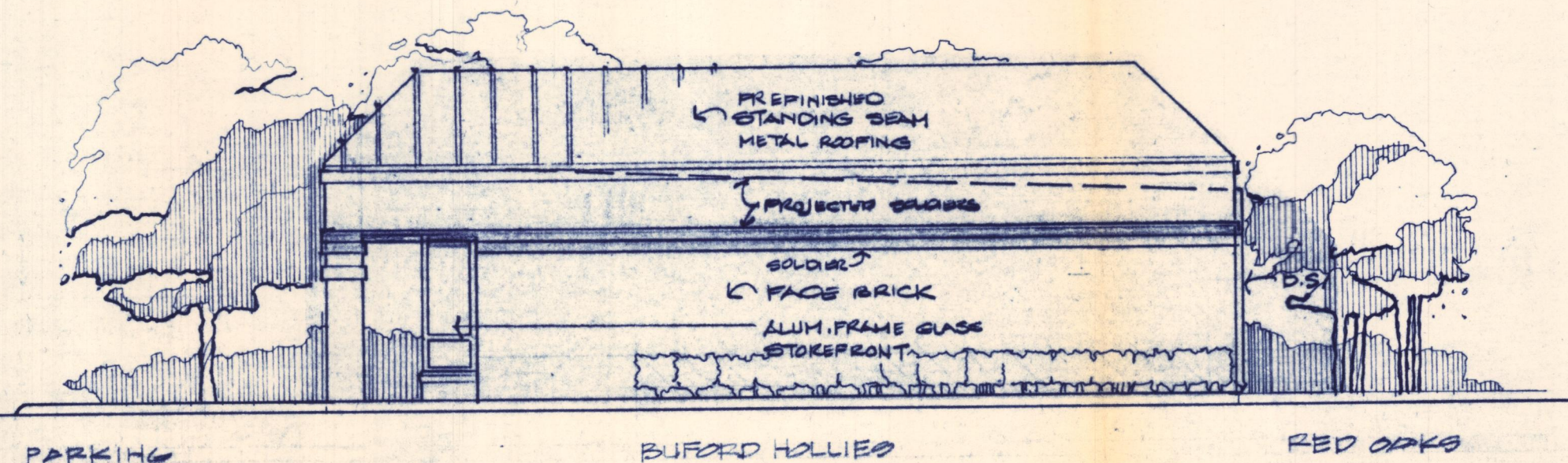


SIGNAGE:
12'-4" X 55'-0" = 676 S.F. X 10% = 67.65 SF

03 North Elevation
1/8" = 1'-0"



02 South Elevation
1/8" = 1'-0"



ARCHITECT

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2400 Empire Central
Dallas, Texas 75235
214/358-4103

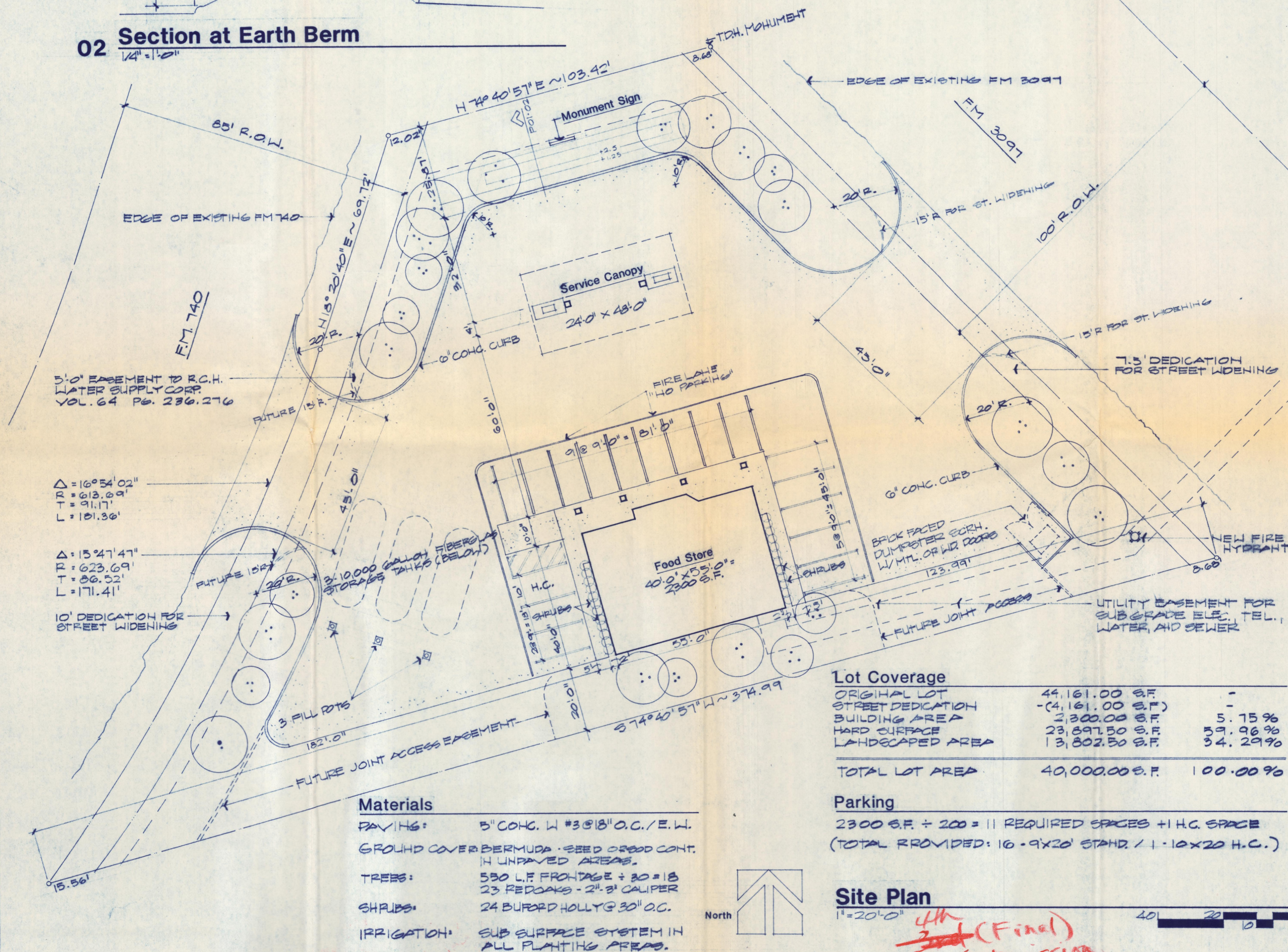
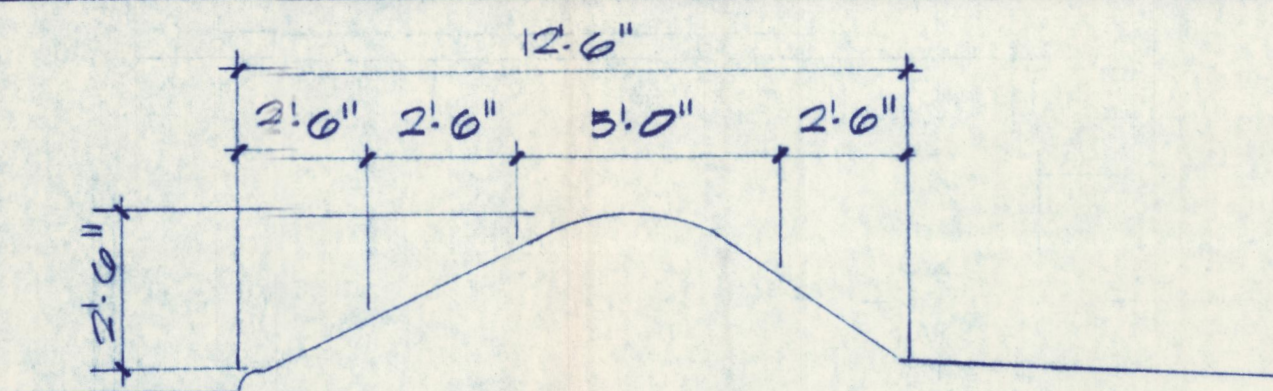
Mr. M Food Store

Rockwall, Texas

4th
3rd - Final Sub

P01

02 Section at Earth Berm



NOV. 06, 1987
DEC. 22, 1987
JAN. 05, 1988

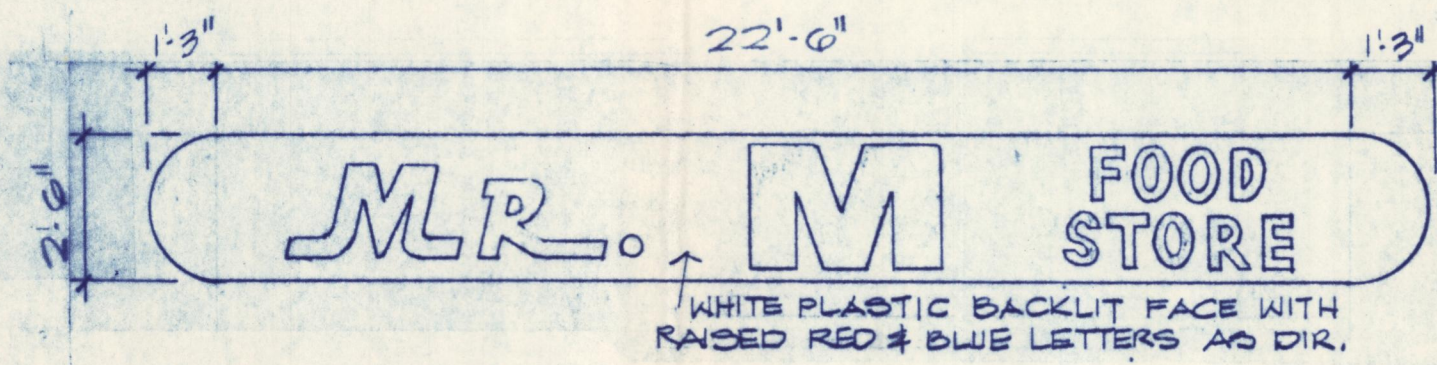
ARCHITECT

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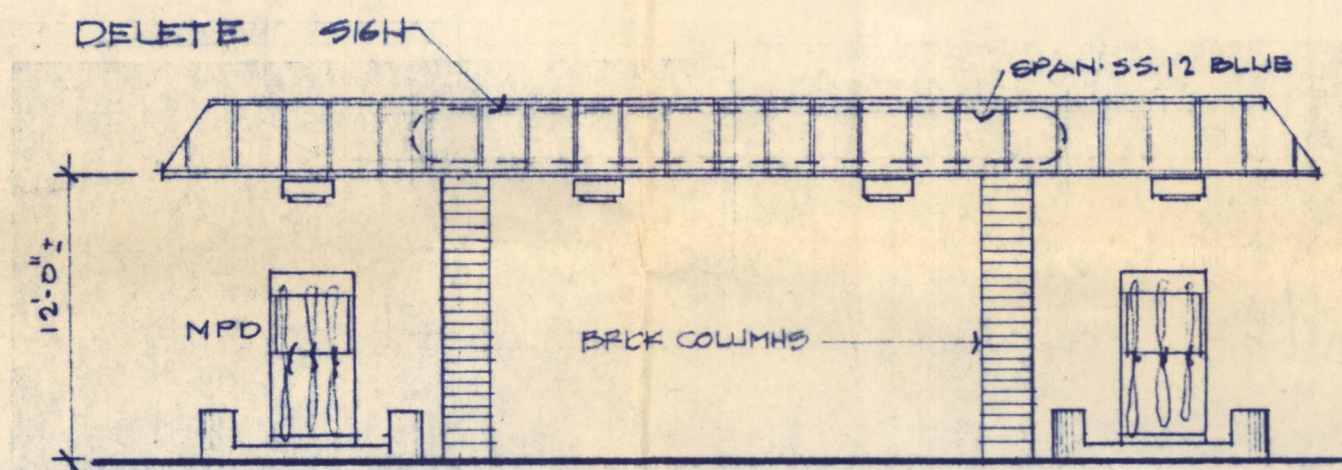
Mr. M Food Store
Rockwall, Texas



61.158 S.F. SURFACE AREA

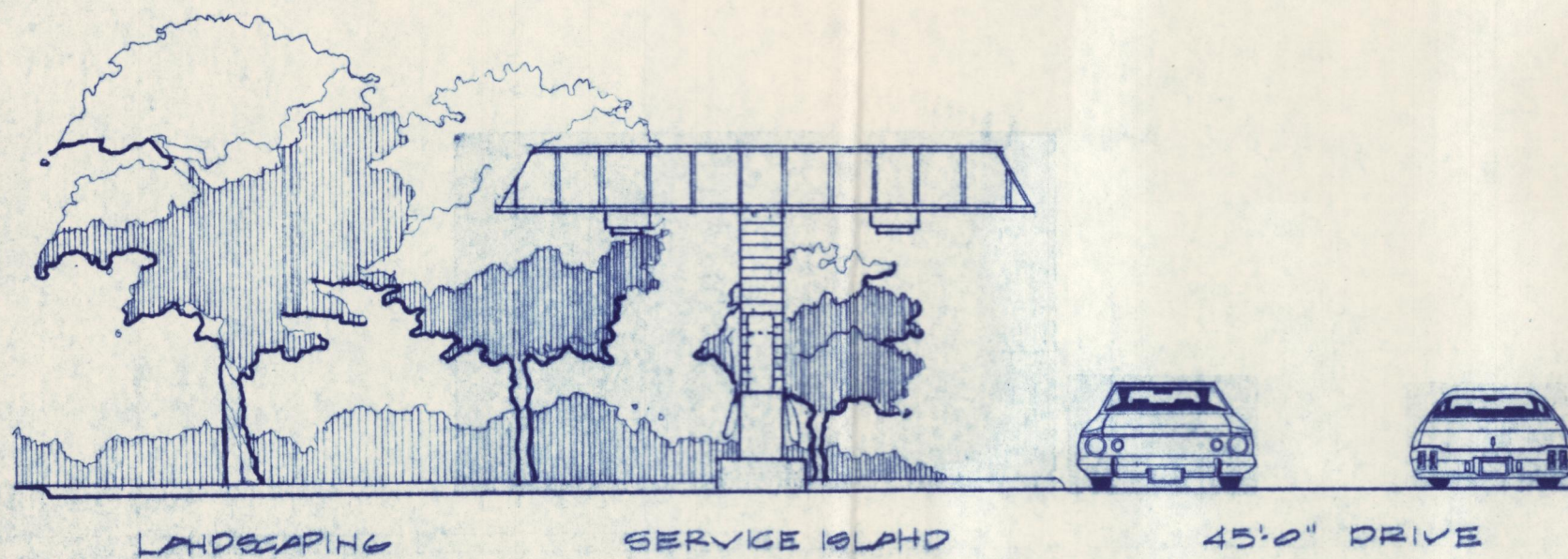
09 Sign Detail

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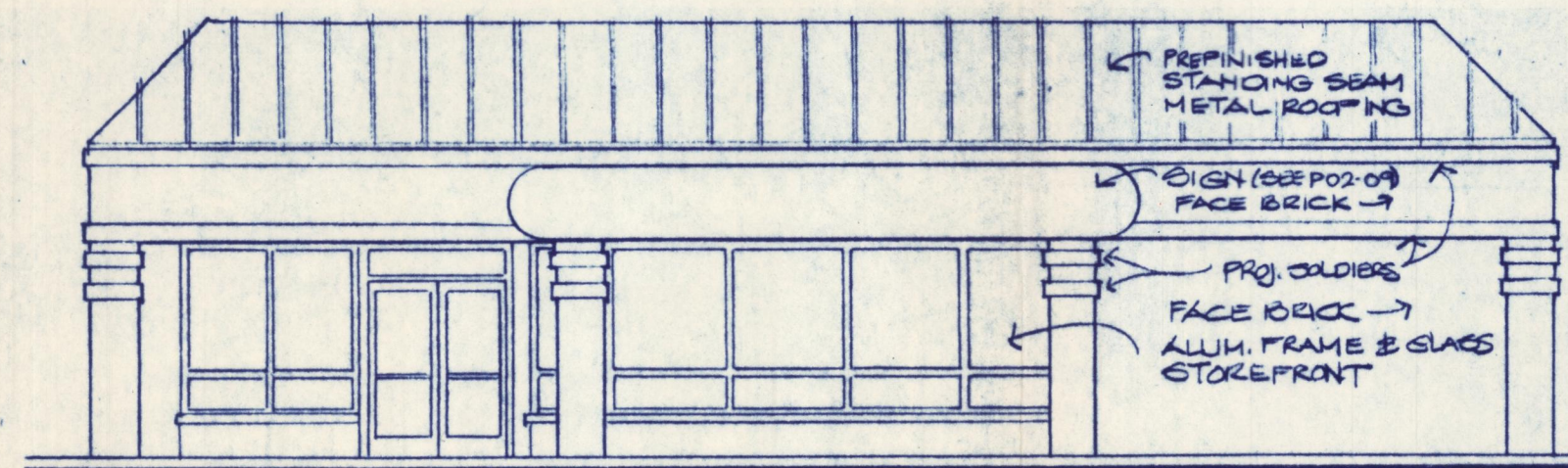
08 Canopy North

1/8" = 1'-0"



07 West Elevation

1/8" = 1'-0"

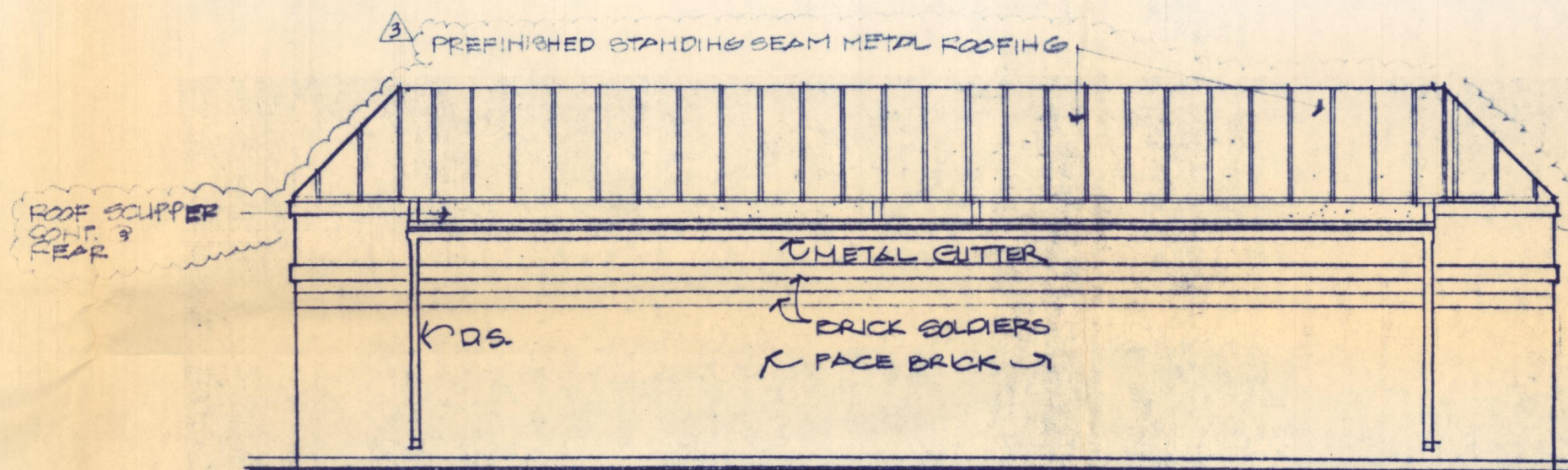


SIGNAGE:

$$12'-4" \times 55'-0" = 676 \text{ S.F.} \times 10\% = 67.65 \text{ SF}$$

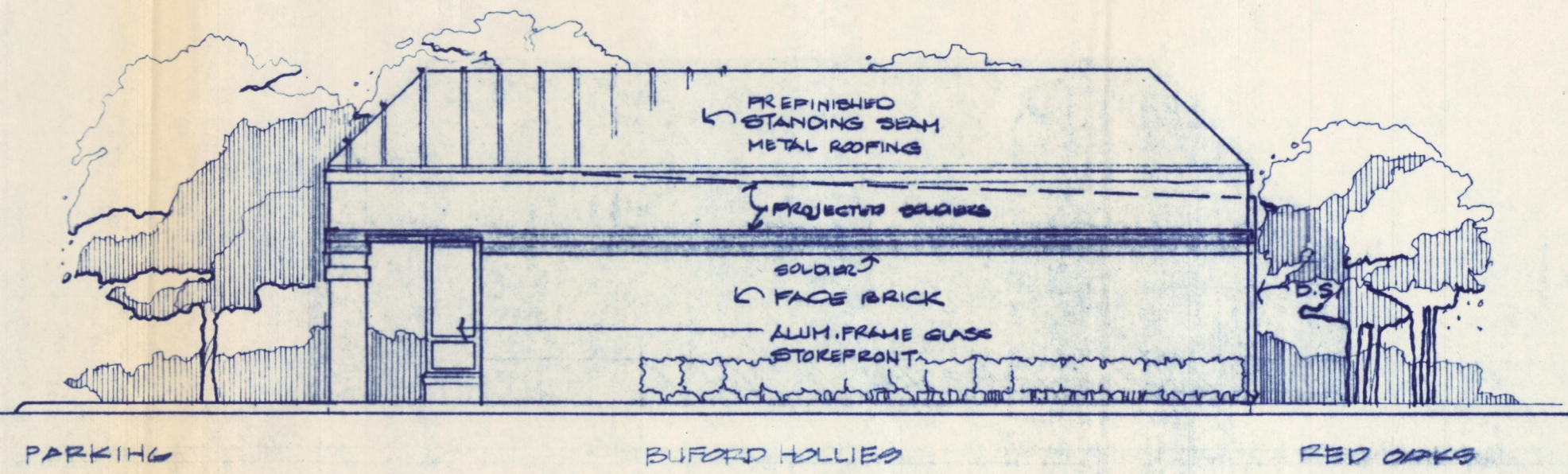
03 North Elevation

1/8" = 1'-0"



02 South Elevation

1/8" = 1'-0"



SITE PLAN REVIEW

- * Date Submitted 10/26/87
- * Scheduled for P&Z 11
- * Scheduled for Council _____
- * Applicant/Owner Paul Kangas / Rob Whittle
- * Name of Proposed Development McM
- * Location FM 740 / Horizon * Legal Description attached to plat
- * Total Acreage 40,000 sf * No. Lots/Units 1
- * Current Zoning PD for GR
- Special Restrictions _____
- * Surrounding Zoning PD for GR, Ag, C

Planning

- | | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
|--|------------|-----------|------------|
| 1. Is the site zoned properly?
<i>requires CAP - applied for</i> | _____ | <u>✓</u> | _____ |
| 2. Does the use conform to the Land Use Plan? | <u>✓</u> | _____ | _____ |
| 3. Is this project in compliance with the provisions of a Concept Plan? | _____ | <u>✓</u> | _____ |
| * 4. Is the property platted? | _____ | <u>✓</u> | _____ |
| * 5. Is plat filed of record at Courthouse?
File No. _____ | _____ | _____ | _____ |
| * 6. If not, is this site plan serving as a preliminary plat? | <u>✓</u> | _____ | _____ |
| 7. Does the plan conform to the Comprehensive Zoning Ordinance or PD Ordinance on the following: | | | |
| a. Are setbacks correct? | | | |
| front | <u>✓</u> | _____ | _____ |
| side | <u>✓</u> | _____ | _____ |
| rear | <u>✓</u> | _____ | _____ |
| b. Are buildings on same lot adequately separated? | _____ | _____ | <u>✓</u> |

c. Is the lot the proper size?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Does the lot have proper dimensions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Are exterior materials correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Are structural materials correct?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>need to check</i> ✓			
g. Is coverage correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Is adequate area in landscaping shown?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Is it irrigated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Is landscaping in parking lot required?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. Are types of landscaping indicated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Is floor area ratio correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
m. Is building height correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
n. Are correct number of parking spaces provided?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
o. Are driving lanes adequate in width?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
p. Are parking spaces dimensioned properly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>9x18</i> ✓			
q. Does the parking lot meet City specifications	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
r. Is a fire lane provided?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>need to indicate fire lane on plan</i>			
s. Is it adequate in width?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
t. Are drive entrances properly spaced? ✓	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
u. Are drive entrances properly dimensioned? ✓	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>too wide</i> ✓			
....Do drive entrances line up with planned median breaks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Is lighting provided and correctly directed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>what about?</i>			
w. Are sidewalks required?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>need sidewalks?</i>			
x. Are sidewalks provided?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
y. Is a screen or buffer required? <i>demo plant 10 units</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
....Is it sized properly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
....Is it designed properly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
....Is it of correct materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- * 7. Does the site plan contain all required information from the application checklist?
8. Is there adequate access and circulation?
9. Is trash service located and screened?
- * 10. Are street names acceptable? NA
11. Was the plan reviewed by a consultant?
(If so, attach copy of review.)
12. Does the plan conform to the Master Park Plan?
13. Are there any existing land features to be maintained?
(ie, topography, trees, ponds, etc.)

Comments:

where are alc units? cannot be seen from street?
dumpton screen - Buck?
utility service - electric - underground?
entrances too wide
need to dedicate cross access easements on plat

Building Codes

1. Do buildings meet fire codes?
2. Do signs conform to Sign Ordinance?

Comments:

access easement - entrance on 740/3097?
access into dumpton visible from street

Engineering

1. Does plan conform to Thoroughfare Plan? ✓
2. Do points of access align with adjacent ROW? ✓
3. Are the points of access properly spaced? ✓
4. Are street improvements required? ✓
5. Will escrowing of funds or construction of substandard roads be required? ✓
6. Does plan conform with Flood Plain Regulations? ✓
7. Is adequate fire protection present? ✓ *will need to provide*
8. Are all utilities adequate? ✓ *will need to provide*
9. Are adequate drainage facilities present? *need to check*
10. Is there a facilities agreement on this site? ✓

11. Are existing roads adequate for additional traffic to be generated? ☒ ☐ ☐
12. Is the site part of a larger tract? ^{yes} Does the plan adversely impact development of remaining land? ☐ ☒ ☐
13. Are access easements necessary? ^{need to begin plat} ☒ ☐ ☐
14. Are street and drive radii adequate? ^{need to check} ☐ ☐ ☐
15. Have all required conditions been met? ☐ ☐ ☐
16. Is there a pro rata agreement on this site? ☐ ☒ ☐
17. Have all charges been paid? ^{Developer owes funds} ☐ ☒ ☐

Time Spent on Review

<u>Name</u>	<u>Date</u>	<u>Time Spent (hours)</u>
<u>Julie Goss</u>	<u>10/29/87</u>	<u>1 hr.</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

PLAT REVIEW

* ☒ Preliminary Plat* ☐ Final Plat* Name of Proposed Subdivision Ma M* Location of Proposed Subdivision 740/Horizon* Name of Subdivider Paul Kangas* Date Submitted 10/23/87 Date of Review _____* Total Acreage .9839 * No. of Lots 1Review Checklist

	<u>Yes</u>	<u>No</u>	<u>N/A</u>
* 1. Was the proper application submitted and checklist? (attach copy)			
* 2. Were the proper number of copies submitted?	<u>✓</u>	_____	_____
* 3. Is scale 1" = 100' (Specify scale if different) Scale = <u>1=20</u>	_____	<u>✓</u>	_____
* 4. Is the subdivision name acceptable?	<u>✓</u>	_____	_____
5. Comments:			

Planning and Zoning

1. What is the proposed use? commercial / gas
 2. What is the proposed density? N/A
 3. What is the existing zoning? PD/GR/OD
- | | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
|---|-------------------|-------------------|-------------------|
| 4. Is the plan zoned properly? <u>needs cut</u> | <u> </u> | <u>✓</u> | <u> </u> |
| 5. Does the use conform to the Land Use Plan? | <u>✓</u> | <u> </u> | <u> </u> |
| 6. Is this tract taken out of a larger tract | <u>✓</u> | <u> </u> | <u> </u> |
| 7. Will the development landlock another property? | <u> </u> | <u>✓</u> | <u> </u> |
| 8. Is this project subject to the provisions of the Concept Plan Ordinance? | <u> </u> | <u>✓</u> | <u> </u> |
| 9. Has a Concept Plan been been Provided and Approved | <u> </u> | <u>✓</u> | <u> </u> |
| 10. Does the plan conform to the Master Park Plan? | <u> </u> | <u> </u> | <u>✓</u> |
| 11. Does plan conform to the Comprehensive Zoning Ordinance of approved PD Ordinance? | | | |
| a. Lot Size | <u>✓</u> | <u> </u> | <u> </u> |
| b. Building Line - <u>need to show</u> | <u> </u> | <u> </u> | <u> </u> |
| c. Parking | <u>✓</u> | <u> </u> | <u> </u> |
| d. Buffering | <u> </u> | <u> </u> | <u>✓</u> |
| e. Site Plan | <u>✓</u> | <u> </u> | <u> </u> |
| f. Other | <u> </u> | <u> </u> | <u> </u> |
| 12. Has the City Planner reviewed and commented on the plan? (If so, attach copy of Review) | <u>✓</u> | <u> </u> | <u> </u> |

is looking at underseal design

13. Does the plan exhibit good planning in general layout, access, and vehicular and pedestrian circulation?

✓ _____ _____

14. Comments:

Entrances are only 20 ft from intersection of 4 & 6 lanes

Yes

No

N/A

Engineering

1. Streets and Traffic

- a. Does the plan conform to the Master Thoroughfare Plan?

✓ _____ _____

- b. Is adequate right-of-way provided for any major thoroughfares or collectors?

✓ _____ _____

- c. Is any additional right-of-way provided for all streets and alleys?

✓ _____ _____

- d. Is any additional right-of-way required?

✓ _____ _____

- e. Is there adequate road access to the proposed project?

✓ _____ _____

- f. Will escrowing of funds or construction of sub-standard roads be required?

_____ ✓ _____

- g. Do proposed streets and alleys align with adjacent right-of-way?

_____ _____ ✓

- h. Do the streets and alleys conform to City regulations and specifications?

_____ _____ ✓

* i. Are the street names acceptable?

j. Is a traffic analysis needed?

k. Comments:

2. Utilities

a. Does the Plan conform to the Master Utility Plan?

b. Are all lines sized adequately to handle development?

1. Water

2. Sewer

c. Is additional line size needed to handle future development?

1. Water

2. Sewer

d. Is there adequate capacity in sewer outfall mains, treatment plants and water transmission lines to handle the proposed development?

e. Are all necessary easements provided?

f. Do all easements have adequate access?

g. Are any off site easements required?

h. Have all appropriate agencies reviewed and approved plans?

1. Electric

2. Gas

3. Telephone

4. Cable

✓

✓

✓

✓

✓

✓

✓

✓

✓

✓

i. Does the drainage conform to City regulations and specifications?

j. Do the water and sewer plans conform to City regulations and specifications?

k. Is there adequate fire protection existing or planned?

l. Comments:

General Requirements

1. Has the City Engineer reviewed and approved the plan?

2. Does the final plat conform to the City's Flood Plain Regulations?

3. Does the final plat conform to the preliminary plat as approved?

4. Staff Comments:

Time Spent on Review

<u>Name</u>	<u>Date</u>	<u>Time Spent (hours)</u>
<u>Julie Love</u>	<u>10/29</u>	<u>30 min</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

ZONING CHANGE/CONDITIONAL USE PERMIT/PLANNED DEVELOPMENT/
PRELIMINARY PLAN/DEVELOPMENT PLAN

ACTION RECORD

Case No: 87-67-PP/SP/CWPLocation: M/M Horizon/FM 740

Application Reviewed..... ✓

File Created ✓

Filing Fee Paid/Receipt in File..... ✓

Issued Receipt for Application.....

Review form prepared/^{initial}partial review completed..... ✓

Circulated Review through:

Staff Review:.....

Assistant City Manager..... ✓

Scheduled for P&Z meeting..... 11/12

Notice Sent:

Newspaper..... 10/27

Surrounding property owners..... 10/30

Sign placed on property.....

Tallied responses to notices ✓

Prepared notes and supporting
information for P&Z..... ✓

Notified applicant of results and of
Council date..... ✓

after P+2 consideration.
~~If approved:~~

Scheduled for City Council..... 10/1/4

Notice sent to newspaper..... ✓

Notice sent to property owners..... ✓

Prepared notes and supporting
information for City Council..... ✓

If approved:

Notified applicant of results..... ✓

Prepared ordinance..... ✓

1st reading of ordinance..... 1/18

2nd reading of ordinance..... 2/1

Caption to newspaper..... _____

Update office map..... _____

Notified Inspection Dept. of change..... ✓

Included map in update file..... _____

Included in CUP list (if applicable)..... _____

→ Permit activated within 6 months..... _____

→ If not activated, applicant
notified permit is void..... _____

Included in PD file (if applicable)..... _____

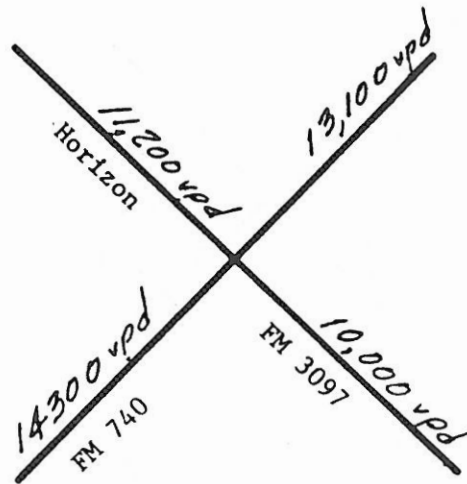
FM 3097/FM 740
INTERSECTION DESIGN

11/5/87

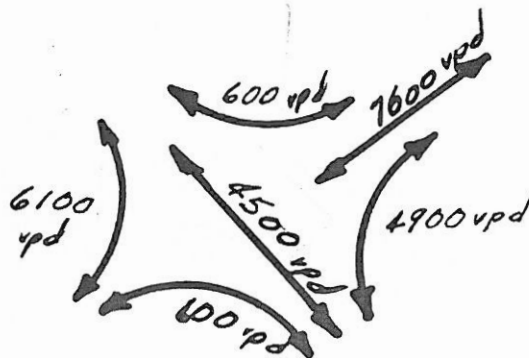
1. Thoroughfare plan designations

- ° FM 3097 - 6 LD
- ° FM 740 - 4 LD
- ° Horizon - Collector

2. The Thoroughfare Plan anticipates an interchange at IH-30 & Horizon. Based upon this, SDHPT projections (20-20-13) are as shown below:



3. Using #2, anticipated turning movements are as follows:



4. Designs for these FM roadways are anticipated as follows:

6 LD - FM 3097

Rockwall - 110 ft. min. - 10.5 - 36 - 17 - 36 - 10.5

SDHPT - 112 ft. min.* - 9 - 40 - 14 - 40 - 9

* It is not recommended that we hold to this -
SDHPT desirable is 120 ft. - therefore, 115 ft.
is probably a practical minimum

Practical - 115 ft. SDHPT 10 - 40 - 15 - 40 - 10

115 ft. Rockwall 13 - 36 - 17 - 36 - 13

4 LD - FM 740

Rockwall - 80 ft. min. - 10 - 22 - 16 - 22 - 10

- SDHPT - 90 ft. min. - 10 - 28 - 14 - 28 - 10

Collector - Horizon

Rockwall - 65 ft. min. 4 lane - 10.5 - 22 - 22 - 10.5

5. The attached schematic (1" = 200') reflects the anticipated requirements at the subject intersection.











CITY OF ROCKWALL

"THE NEW HORIZON"

November 5, 1987

Mr. Paul Kangus
Mr. M Food Stores
5400 South Lamar
Dallas, Texas 75215

Dear Mr. Kangus:

Your request for approval of a Conditional Use Permit and site plan/preliminary plat has been scheduled for consideration by the Planning and Zoning Commission at a public hearing on Thursday, November 12, 1987, at 7:30 P.M. in City Hall, 205 West Rusk.

As the applicant, it is important that you are represented at this meeting. Please call me if you have any questions.

Sincerely,

Mary Nichols
Administrative Aide

CC: Harold Evans
Rob Whittle
MN/mmp

MASTERPLAN

Mrs. Julie Couch
City of Rockwall
205 West Rusk
Rockwall, Texas 75087-3793

November 10, 1987

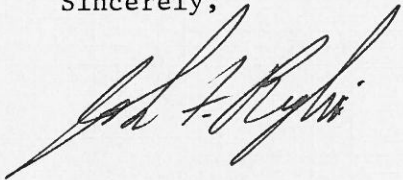
Dear Mrs. Couch:

FM 740/FM 3097 INTERSECTION DESIGN

In reference to the zoning activity with Mr. M Stores at the subject location, and in response to your request, I have studied the area and projected traffic volumes. The basic design for FM 3097 is an ultimate six-lane divided thoroughfare with a raised median, utilizing 115 ft. of ROW. While City standards may permit 110 ft. of ROW as a minimum, it is likely the SDHPT may construct FM 3097, and their design will be easier to implement with a 115 ft. ROW.

The basic design for FM 740 is a four-lane divided thoroughfare with a raised median south of IH-30, utilizing approximately ~~100~~ 100 ft. of ROW. The traffic projections, however, indicate a heavy northbound left turn demand onto Horizon (to gain access to westbound IH-30). Consequently, the intersection design should reflect a dual left turn northbound. This design will require a minimum ROW of 100 ft. The attached schematic reflects the anticipated requirements of the subject intersection.

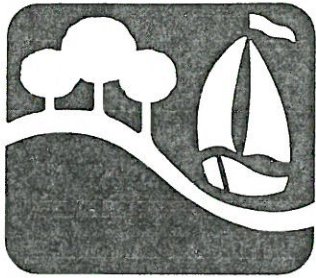
Sincerely,



John F. Reglin, P.E.
Vice President

JFR/m

Enclosure



CITY OF ROCKWALL

"THE NEW HORIZON"

14 December, 1987

Mr. Paul Kangus
Mr. M Food Stores
5400 South Lamar
Dallas, Texas 75215

Dear Mr. Kangus:

On December 10, 1987, the Planning and Zoning Commission recommended approval of your request for a Conditional Use Permit for gasoline sales as an accessory to a retail use and a site plan/preliminary plat for a Mr. M located at FM-740 and FM-3097 subject to the following conditions:

- 1) move the proposed trash receptacle adjacent to 20 ft. landscaped buffer, screen with brick wall and planting facing toward the building
- 2) elevations to conform with photos shown of the Rowlett store including color of brick
- 3) the metal roof to be extended to all four sides of the building
- 4) property to rear of building to be landscaped with photinias
- 5) canopy support columns to be treated with brick
- 6) sidewalks on sides of building to be widened and landscaped with shrubbery adjacent to building.

On January 4, 1988, the Rockwall City Council will hold a public hearing and consider approval of your request. Please submit nine copies of the revised site plan folded to fit in a 8-1/2 X 14" file folder and one copy of an 8-1/2" reduction. These must be submitted not later than December 30, 1987, to allow adequate review by Council.

Please call me if you have any questions.

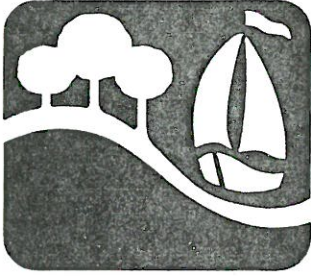
Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

CC: Harold Evans
Rob Whittle

MN/mmp



CITY OF ROCKWALL

"THE NEW HORIZON"

January 11, 1988

Mr. Paul Kangus
Mr. M Food Stores
5400 South Lamar
Dallas, Texas 75215

Dear Mr. Kangus:

On January 4, 1988, the Rockwall City Council approved a site plan/preliminary plat for a Mr. M located at FM-740 and Horizon Road and a Conditional Use Permit for gasoline sales as an accessory to a retail use. A Conditional Use Permit must be adopted by ordinance which requires approval at two separate meetings of the Council. Additionally, no building permit may be received prior to approval of the final plat and its filing with the County Clerk's office.

Unless tabled by Council or the Planning and Zoning Commission, the following is a schedule of dates for your items pending:

January 18 - 1st reading of ordinance authorizing CUP goes before Council

February 1 - 2nd reading of ordinance authorizing CUP goes before Council

JAN 14 February 11 - Planning and Zoning Commission makes recommendation on final plat

FEB 1 March 7 - City Council considers approval of final plat

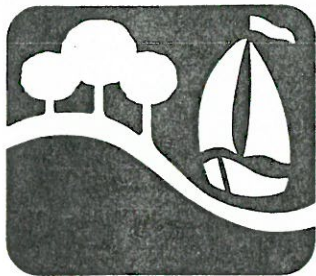
Please note that as the applicant, it is important that you are represented at the meetings where the final plat is being considered. Feel free to call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Aide

CC: Rob Whittle
Harold Evans & Assoc.
MN/mmp



CITY OF ROCKWALL

"THE NEW HORIZON"

January 25, 1988

Mr. Paul Kangus
5400 South Lamar
Dallas, TX 75215

Dear Mr. Kangus:

On January 14, 1988, the Planning and Zoning Commission recommended approval of a final plat for the Mr. M Addition subject to the following conditions:

*execution of a developer's contract that would require initiation of construction of a 12 inch water main along the length of FM3097 with the next phase of development of PD9.

On February 1, 1988, at 7:00 p.m., in City Hall, 205 W. Rusk, the Rockwall City Council will consider approval of your request. Please call me if you have any questions.

Sincerely,

Mary Nichols

Mary Nichols
Administrative Assistant

MN/mm

cc:

Harold Evans & Assoc.
Rob Whittle

P&Z Agenda Notes
December 10, 1987

- IV. B. P&Z 87-PP/SP/CUP- Discuss and Consider Approval of a Conditional Use Permit for Gasoline Sales as an Accessory to a Retail Use and a Site Plan/Preliminary Plat for a Mr. M. Located on FM-740 and Horizon Road

At your last meeting the Commission tabled consideration of this item until the Architectural Board of Review could review and offer recommendations on the proposal. They have met and the following is a summary of their comments.

Site Plan

1. The site should be the one acre - site appears to be too tight
2. Should consider moving entrances as far back as possible to reduce drive through traffic from FM-740 to FM-3097 and to move them as far from the intersection as possible, consider joint entrances with the undeveloped property to the south.

Building Design

1. Recommend consideration of upgraded building with some changes as follows:
 - a. Use softer, lighter colored brick
 - b. Tie the building to the development in Rockwall Village utilizing brick pilasters, cast stone elements such as the column capitals and bases
 - c. Alter design somewhat to break up boxy appearance

The representative from Mr. M proposed the type of store built in Rowlett as an alternative building style at the Architectural Board meeting. That building is the upgraded version the Board was referring to. We have passed these comments on to the applicant who should be prepared to respond to them Thursday night.

Some additional comments that we have regarding the site plan are as follows:

1. Consider moving the trash receptacle adjacent to the 20 foot landscape buffer, screened with a brick wall and planting, i.e., photinias and face the door to the building. This would more accurately meet the requirements of the District and would also, if it is faced at an angle, make access by a front loading trash truck easier.

2. Consider some vertical planting along the back of the building such as photinias that require little maintenance but would provide a break in the rear wall of the building.
3. Consider some requirements regarding the supports for the gas canopy. They are proposing the standard pole supports. Something similar to the brick treatment used by the Gulf Station that ties the canopy to the building might be more appropriate in the District.

Included is another copy of the site plan and a copy of the notes from the last meeting.

Agenda Notes -
Planning and Zoning Commission

III. Public Hearings

- B. P&Z 87-67-PP/SP/SUP - Hold Public Hearing and Consider Approval of a Conditional Use Permit for Gasoline Sales as an Accessory to a Retail Use and a Site Plan/Preliminary Plat for a Mr. M Located on FM-740 and Horizon Road

We have received a request from Mr. M Corporation for a Conditional Use Permit for retail sale of gas as an accessory to a retail use under the Overlay District, and for site plan/preliminary plat approval on a proposed site located at the corner of FM-740 and FM-3097. The property is located in PD-9, Rob Whittle's development, and is designated for General Retail uses.

The application meets the minimum criteria for a CUP under the Overlay District and it meets the minimum requirements under the Zoning Ordinance. Comments regarding specific aspects of the plan are as follows:

1. Right-f-Way

The plan that is enclosed shows a dedication of 5 ft. of right-of-way on FM-740 and 7.5 ft. on FM-3097. We had preliminarily felt that 115 ft. of total ROW on 3097 and 90 ft. on 740 would accommodate the improvements contemplated in the Thoroughfare Plan. We requested our Traffic Planner, John Reglin, to review the plan and to review our future needs at this intersection which is going to ultimately be a very important intersection. After looking at the anticipated traffic volumes and making some assumptions about where the traffic is going to want to go, Mr. Reglin is recommending that we provide for the ability to install 2 left turn lanes onto Horizon Road. Because this will be the interchange closest to the lake, he believes most I-30 bound traffic going to Dallas will make this turn. We will forward a copy of his recommendation under separate cover.

This configuration designed to State standards is going to require 100 ft. of ROW at the intersection for a distance of 500 ft. We have informed Mr. M and the developer of this additional requirement and any approval should be subject to the dedication of this additional ROW. This will not have any impact on the site plan other than moving the landscaping in 5 ft.

Both the developer and the builder have strong reservations about the additional ROW and this may have an effect on whether they continue the application.

2. Elevations

Again, if the Architectural Board of Review were in existence, they would review this proposal and make recommendations regarding the site plan and elevations. Since they are not in existence, the Commission can act in their place and review and make recommendations regarding the building. They are planning to construct their standard Mr. M which is a red brick building with blue metal trim. While this type of construction is acceptable in other areas, the Commission may want to consider a type of construction that more nearly complies with the intent of the Overlay District. An example of a Mr. M that appears to be more in line with the intent of the District can be seen in Rowlett at the intersection of Rowlett Road and SH-66. That structure has brown brick with a brown metal false roof that extends above the actual building on all sides to hide the roof mounted air conditioning equipment. The front facade also has columns and a porch effect that helps to provide some character to the front of the building. While this style clearly is more costly to build, it does address some of the concerns that were raised about development in the Overlay District. We will have pictures of both the proposed style as well as the one built in Rowlett at the meeting.

They are proposing to screen the A/C vents with a box type effect just around the area of the units. A false front roof all the way around would better address the screening without taking away from the building.

3. Site Plan Comments

The plan as otherwise shown meets the criteria set out in both the Overlay District and the Zoning Ordinance. Again, because it is a State road we are precluded from requiring any escrow for street, curb and gutter or sidewalks.

4. Preliminary Plat

The preliminary plat is acceptable with two corrections. One is that the additional ROW be provided on FM-740 and the other is that joint access easements be provided on the plat to identify in plat form their location and existence.

We have received a request from Mr. M Corporation for a Conditional Use Permit for retail sale of gas as an accessory to a retail use under the Overlay District, and for site plan/preliminary plat approval on a proposed site located at the corner of FM-740 and FM-3097. The property is located in PD-9, Rob Whittle's development, and is designated for General Retail uses.

The application meets the minimum criteria for a CUP under the Overlay District and it meets the minimum requirements under the Zoning Ordinance. Comments regarding specific aspects of the plan are as follows:

1. Right-of-Way

The plan initially indicated a dedication of 5 ft. of right-of-way on FM-740 and 7.5 ft. on FM-3097. We had preliminarily felt that 115 ft. of total ROW on 3097 and 90 ft. on 740 would accommodate the improvements contemplated in the Thoroughfare Plan. We requested our Traffic Planner, John Reglin, to review the plan and to review our future needs at this intersection which is going to ultimately be a very important intersection. After looking at the anticipated traffic volumes and making some assumptions about where the traffic is going to want to go, Mr. Reglin is recommending that we provide for the ability to install two left turn lanes onto Horizon Road. Because this will be the interchange closest to the lake, he believes most I-30 bound traffic going to Dallas will make this turn.

This configuration designed to State standards is going to require 100 ft. of ROW at the intersection for a distance of 500 ft. We have informed Mr. M and the developer of this additional requirement and they have made the appropriate changes. This will not have any impact on the site plan other than moving the landscaping in 5 ft.

2. Elevations

The applicant originally proposed to construct a standard Mr. M at this location. Both the Planning and Zoning Commission and the Architectural Review Committee had strong concerns about the standard design. Mr. M has now proposed an upgraded type store identical to the one just built in Rowlett at the intersection of SH-66 and Rowlett Road. The applicant also agreed to add some landscaping around the building and to brick the pole supports for the gas canopy. The Planning and Zoning Commission had originally tabled this request in order to have the input from the Architectural Review Board. The applicant has revised his plans to address some of the concerns of the Board. Their comments were as follows:

Site Plan

- a. The site should be the one acre - site appears to be too tight
- b. Should consider moving entrances as far back as possible to reduce drive through traffic from FM-740 to FM-3097 and to move them as far from the intersection as possible, consider joint entrances with the undeveloped property to the south.

Building Design

- a. Recommend consideration of upgraded building with some changes as follows:
 - i. Use softer, lighter colored brick
 - ii. Tie the building to the development in Rockwall Village utilizing brick pilasters, cast stone elements such as the column capitals and bases
 - iii. Alter design somewhat to break up boxy appearance

Some additional comments that we had regarding the site plan are as follows:

- A. Consider moving the trash receptacle adjacent to the 20 foot landscape buffer, screened with a brick wall and planting, i.e., photinias and face the door to the building. This would more accurately meet the requirements of the District and would also, if it is faced at an angle, make access by a front loading trash truck easier.
- B. Consider some vertical planting along the back of the building such as photinias that require little maintenance but would provide a break in the rear wall of the building.
- C. Consider some requirements regarding the supports for the gas canopy. They are proposing the standard pole supports. Something similar to the brick treatment used by the Gulf Station that ties the canopy to the building might be more appropriate in the District.

All of these comments were addressed by the applicant.

Site Plan Comments

The plan as shown meets the criteria set out both in the Overlay District and the Zoning Ordinance. Again, because it is a State road, we are precluded from requiring any escrow for street, curb and gutter or sidewalk.

Preliminary Plat

The preliminary plat is acceptable with one correction. Joint access easements need to be provided on the plat to identify plat from this location.

Attached is a location map and site plan/preliminary plat. The Planning and Zoning Commission has recommended approval with the following conditions:

- 1) move the proposed trash receptacle adjacent to 20 ft. landscaped buffer, screen with brick wall and planting facing toward the building,
- 2) elevations to conform with photos shown of the Rowlett store including color of brick;
- 3) the metal roof to be extended to all four sides of the building;
- 4) property to rear of building to be landscaped with photinias;
- 6) sidewalks on sides of building to be widened and landscaped with shrubbery adjacent to building.

MINUTES OF THE ROCKWALL CITY COUNCIL
January 4, 1988

Mayor Frank Miller called the meeting to order with the following members present: Nell Welborn, Jean Holt, John Bullock, Bill Fox and Pat Luby.

Council considered approval of the Consent Agenda which consisted of A) the minutes of December 21, 1987, and B) an ordinance amending the Comprehensive Zoning Ordinance to amend the minimum dwelling size requirement in "SF-7" zoning category on second reading. Assistant City Manager Julie Couch read the ordinance caption. Welborn made a motion to approve the Consent Agenda. Bullock seconded the motion. The motion was voted on and passed unanimously.

Don Smith then gave the Planning and Zoning Commission Chairman's report in which he outlined the Commission's recommendations on 1) a zoning request and site plan submitted by Kip Estep, 2) a Conditional Use Permit request and site plan/preliminary plat for a Mr. M, and 3) a Conditional Use Permit request and site plan for a Mobil Station. At this time, 7:10 p.m. Ken Jones joined the meeting. Smith briefly explained the comments of the Architectural Board of Review on the two applications located within the Scenic Overlay District.

Randy Sanders of Tejanos Cantina addressed Council and requested an amendment to the private club ordinance to allow gaming devices in areas where alcoholic beverages are not served. Council discussed the State sales tax on gaming devices, a possible City permit fee and a possible maximum number of machines per restaurant. After lengthy discussion, Holt made a motion to amend Ordinance 85-2 to read that "no gaming devices shall be permitted inside a private club except in hotels and restaurants so long as the games are not located in areas where alcoholic beverages are sold". Jones seconded the motion. The motion was voted on and passed 4 to 3 with Welborn, Bullock, and Miller voting against the motion.

Council then held a public hearing and considered approval of an ordinance authorizing a change in zoning from Agricultural to Commercial and a site plan/preliminary plat on a one acre lot on SH-205 south of Sids Road. Couch outlined the applicant's request and explained that it generally conformed with current requirements except for the existing parking which was shorter than required. Kip Estep, the applicant, stated that the parking was used for employees and deliveries. After Council discussion, Couch read the ordinance caption. Fox made a motion to approve the

change in zoning and the site plan/preliminary plat. Bullock seconded the motion. The motion was voted on and passed unanimously.

Miller opened a public hearing on a request for a Conditional Use Permit for gasoline sales as an accessory to a retail use and Council considered approval of a site plan and preliminary plat for a Mr. M located on FM-740 and Horizon Road. Couch outlined the applicant's request and the recommendations of the Planning and Zoning Commission and Architectural Board of Review. She explained that the site plan submitted before Council met almost all conditions recommended by the Commission. Rob Whittle, the current property owner, explained that although the plan originally submitted was a typical Mr. M store, the applicants had attempted to meet all suggestions made by the Commission and the intent of the Scenic Overlay District. Don Smith pointed out that the revised plan did not illustrate a four-sided roof which was a recommendation made by the Commission. Paul Kangus, the applicant, stated that this condition would be met. After Council discussion, Jones made a motion to approve the Conditional Use Permit and site plan/preliminary plat subject to the recommendations of the Planning and Zoning Commission. Bullock seconded the motion. The motion was voted on and passed unanimously.

Council then held a public hearing and considered approval of a request from Wayne Backus for a Conditional Use Permit for a full service station with auto repair within the Scenic Overlay District and a site plan for a Mobil Station located on Ridge Road at Yellowjacket Lane. Couch explained recommendations of the Planning and Zoning Commission and Architectural Board of Review. Tom Briscoe of Mobil Oil Wholesale Distributors stated that the three service stations in downtown Rockwall had non-conforming status and could not be enlarged or renovated and that the other two service stations in town were located on I-30. He stated the need for another station, the success of Backus' business history, and the need for competition among service stations. Cecil Unruh addressed Council and voiced opposition to the Conditional Use Permit, stating that it did not meet the intent of the Scenic Overlay District. He stated that the use was not appropriate, the site plan was not workable, and the site was too small for the number of items it was proposed to contain. Wayne Backus offered to make substantial changes to the site plan and to illustrate how the adjacent tract would affect traffic flow of the site. Chuck Hodges, the architect, answered Council's questions regarding additional square footage. He stated that if the applicant did utilize extra square footage he would need to re-design the site and its traffic flow. Jim Hendricks spoke on behalf of the Architectural Board of Review and pointed out the

tightness of the site and the high cost of necessary drainage improvements. After much Council discussion, Welborn made a motion to deny the request without prejudice to allow the applicant to resubmit a revised site plan to the Commission which may then be brought before the Council. Bullock seconded the motion. The motion was voted on and passed unanimously.

After a brief recess, Bill Eisen gave the City Manager's report in which he discussed the actuarial study on self-insurance and bids for commercial insurance, the verification process taking place regarding a petition from Heritage Heights property owners for a Public Improvements District, an upcoming request for an extension of an agreement with Cambridge Companies, and an update on progress of the Airport Advisory Committee and Charter Review Commission.

Council then discussed a 911 Emergency System. Miller asked Council to indicate whether they wished Staff to begin investigating costs and other factors involved in establishing this system. Bullock asked the Police Chief's opinion. Chief Bruce Beaty told Council that if the system were established, he would advise investigation of a countywide 911 system. Council directed Staff to research the system and keep Council informed of their findings.

Eisen then outlined an ordinance setting a date for a public hearing for street assessment proceedings on certain streets. He explained that the enhancement study would be complete on January 20th, recommended a hearing date of February 29th, and discussed the public notices and assessment role. Couch read the ordinance caption. After Council discussion, Welborn made a motion to approve the ordinance setting a hearing date for February 29, 1988. Holt seconded the motion. The motion was voted on and passed unanimously.

As there was no further business to come before Council, the meeting adjourned at 10:20 P.M.

APPROVED:

ATTEST:

By _____

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at _____
7:30 o'clock P.M. on the 12th day of November, 1987
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
request of Paul Kangus
for a Conditional Use Permit for gas sales as an Accessory to
a primary retail use
on the following described property:

A proposed convenience store located at FM-740 and Horizon
Road, further described on the attached.

As an interested property owner, it is important that you attend this
hearing or notify the Commission of your feeling in regard to the matter
by returning the form below. The decision of the Planning and Zoning
Commission will be a recommendation for approval or denial which will be
forwarded to the City Council for a final decision. In replying please
refer to Case No. P&Z 87-67-PP/SP/CUP

Mary A. Nichols
City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to
the City Planning and Zoning Commission, 205 West Rusk Street, Rockwall,
Texas 75087.

Case No. P&Z 87-767-PP/SP/CUP

I am in favor of the request for the reasons listed below. _____

I am opposed to the request for the reasons listed below. _____

1.

2.

3.

Signature _____

Address _____

BEGINNING at a concrete monument at the North corner of said Tract 5 and at the intersection of the right-of-way cut back of F.M. 740, an 80-foot right-of-way, with the Southwest line of F.M. 3097, a 100-foot right-of-way;
THENCE: South 45° 35' 20" East a distance of 218.07 feet with the Southwest line of F.M. 3097 to an iron rod set for a corner;
THENCE: South 74° 40' 57" West a distance of 368.72 feet to an iron rod set for a corner on the Southeast line of F.M. 740, said iron rod being on a circular curve to the left having a central angle of 16° 23' 19", a radius of 613.69 feet, and a chord that bears North 26° 32' 20" East a distance of 174.94 feet;
THENCE: Along said curve and with said Southeast line an arc distance of 175.54 feet to an iron rod set for a corner;
THENCE: North 18° 20' 40" East a distance of 69.72 feet continuing with the Easterly line of F.M. 740 to an iron rod set for a corner;
THENCE: North 74° 40' 57" East a distance of 103.42 feet with the previously mentioned right-of-way cut back to the Point of Beginning and Containing 0.9839 Acres of Land.

Mc. M

A.L. Williams
411 Valley Dr

Phillip Williams
8023 Claumont
Dallas Tx 75228

Emmitt Young
2880 Heiger Rd

Ola Young
c/o E M Young
2880 Heiger Rd

Spatex Group
c/o Gary Shultz
1127 Conveyor Ln
Dallas 75247

Spatex Group
c/o Patrick Stephenson

Emily Sue Whitehead
and O.L. Steger Jr
304 Highland Dr

Carlisle/Rockwallage Vlg Joint Venture
c/o Real Estate Tax Service
P.O. Box 832310
Richardson, TX 75083 - 231

Interfirst Bank Dallas
P.O. 83798 Wylie 75098

BEFORE THE ROCKWALL CITY COUNCIL
CITY OF ROCKWALL, TEXAS

The Rockwall City Council will hold a public hearing at 7:00
o'clock P.M. on the 4th day of January, 1988
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
the request of Paul Kangus
for a Conditional Use Permit for gas sales as an accessory
to a primary retail use

on the following described property:

A proposed convenience store located at FM-740 and Horizon
Road, further described on the attached sheet.

As an interested property owner, it is important that you attend this
hearing or notify the Council of your feeling in regard to the matter by
returning the form below.

In replying please refer to Case No. P&Z 87-67-PP/SP/CUP

Mary Nichols
City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to
the City Council, 205 West Rusk Street, Rockwall, Texas 75087

Case No. P&Z 87-67-PP/SP/CUP

I am in favor of the request for the reasons listed below. _____

I am opposed to the request for the reasons listed below. _____

- 1.
- 2.
- 3.

Signature _____

Address _____

Causal
12/18

Mr. M

H.L. Williams
411 Valley Dr

Phillip Williams
8023 Claremont
Dallas Tx 75228

Emmitt Young
2880 Heigler Rd

Ola Young
c/o E M Young
2880 Heigler Rd

Spatex Group
c/o Gary Shultz
1127 Conveyor Ln
Dallas 75247

Spatex Group
c/o Patrick Stephenson

Emily Sue Whitehead
and O.L. Steger Jr
304 Highland Dr

Carlisle/Rockwallage Ulg Joint Venture
c/o Real Estate Tax Service
P.O. Box 832310
Richardson, TX 75083 - 231

Interfirst Bank Dallas
P.O. 83798 Wylie 75098

BEFORE THE ROCKWALL CITY COUNCIL
CITY OF ROCKWALL, TEX.

(0787) -

The Rockwall City Council will hold a public hearing at 7:00
o'clock P.M. on the 4th day of January, 1988
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at
the request of Paul Kangus
for a Conditional Use Permit for gas sales as an accessory
to a primary retail use

on the following described property:

A proposed convenience store located at FM-740 and Horizon
Road, further described on the attached sheet.

As an interested property owner, it is important that you attend this
hearing or notify the Council of your feeling in regard to the matter by
returning the form below.

In replying please refer to Case No. P&Z 87-67-PP/SP/CUP

Mary Nichols
City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to
the City Council, 205 West Rusk Street, Rockwall, Texas 75087

Case No. P&Z 87-67-PP/SP/CUP

I am in favor of the request for the reasons listed below. X

I am opposed to the request for the reasons listed below. _____

1. It should be good for area
2. development.
- 3.

Signature

Address

Loatz / Culpepper
My Sam Shug
3210 Berlin
Suite 126
Dallas, 75234

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at _____
7:30 o'clock P.M. on the 12th day of November, 1987
in the Rockwall City Hall, 205 West Rusk Street, Rockwall, Texas, at the
request of Paul Kangus
for a Conditional Use Permit for gas sales as an Accessory to
a primary retail use

on the following described property:

A proposed convenience store located at FM-740 and Horizon
Road, further described on the attached.

As an interested property owner, it is important that you attend this
hearing or notify the Commission of your feeling in regard to the matter
by returning the form below. The decision of the Planning and Zoning
Commission will be a recommendation for approval or denial which will be
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refer to Case No. P&Z 87-67-PP/SP/CUP

Mary A. Nichols
City of Rockwall, Texas

The following form may be filled out and returned as soon as possible to
the City Planning and Zoning Commission, 205 West Rusk Street, Rockwall,
Texas 75087.

Case No. P&Z 87-767-PP/SP/CUP

I am in favor of the request for the reasons listed below. X

I am opposed to the request for the reasons listed below. _____

1.

2.

3.

Signature Spatex
Ray G. Shum
Address 3210 Beltline
Summit 126
Dallas, TX 75230

m m

ORDINANCE NO. 88-4

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR GASOLINE SALES AS AN ACCESSORY TO A RETAIL USE ON A TRACT OF LAND MORE FULLY DESCRIBED HEREIN; PROVIDING FOR CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Conditional Use Permit for gasoline sales as an accessory to a retail use has been requested by Paul Kangus for the property more fully described in Exhibit "A" attached hereto; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended by amending the zoning map of the City of Rockwall so as to

grant a Conditional Use Permit for gasoline sales as an accessory to a retail use on the property described in Exhibit "A".

SECTION 2. That the Conditional Use Permit shall be subject to the following special conditions:

1. If the permit is not activated within six (6) months of the date of approval, the permit will automatically be cancelled.
2. Once activated, there shall be no time limit on the Conditional Use Permit.
3. The trash receptacle shall be located adjacent to the 20 ft. landscaped buffer, screened with brick wall and planting facing toward the building.
4. Elevations shall conform with photos shown of the Rowlett store including color of brick.
5. The metal roof shall be extended to all four sides of the building.
6. Property to rear of building shall be landscaped with photinias.
7. Sidewalks on sides of building shall be widened and landscaped with shrubbery adjacent to building.

SECTION 3. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the City of Rockwall not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the City of Rockwall as heretofore

BEGINNING at a concrete monument at the North corner of said Tract 5 and at the intersection of the right-of-way cut back of F.M. 740, an 80-foot right-of-way, with the Southwest line of F.M. 3097, a 100-foot right-of-way;
THENCE: South 45° 35' 20" East a distance of 218.07 feet with the Southwest line of F.M. 3097 to an iron rod set for a corner;
THENCE: South 74° 40' 57" West a distance of 368.72 feet to an iron rod set for a corner on the Southeast line of F.M. 740, said iron rod being on a circular curve to the left having a central angle of 16° 23' 19", a radius of 613.69 feet, and a chord that bears North 26° 32' 20" East a distance of 174.94 feet;
THENCE: Along said curve and with said Southeast line an arc distance of 175.54 feet to an iron rod set for a corner;
THENCE: North 18° 20' 40" East a distance of 69.72 feet continuing with the Easterly line of F.M. 740 to an iron rod set for a corner;
THENCE: North 74° 40' 57" East a distance of 103.42 feet with the previously mentioned right-of-way cut back to the Point of Beginning and Containing 0.9839 Acres of Land.

amended, as amended herein by granting of this zoning change, and as may be amended in the future.

SECTION 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense.

SECTION 6. If any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance are declared to be severable.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this 1st day of February, 1988.

APPROVED:

ATTEST:

By: 

1st reading 1/18/88
2nd reading 2/1/88



PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on November 12, 1987, at 7:30 P.M. in City Hall, 205 West Rusk to consider:

- 1) a request from Paul Kangus for a Conditional Use Permit to allow gas sales as an accessory to a retail use for a proposed convenience store located at FM-740 and Horizon Road
- 2) a request from Wayne Backus for a Conditional Use Permit for a full service gasoline station including automobile servicing proposed to be located at Ridge Road and Yellowjacket Lane

PLANNING AND ZONING ACTION SHEET

Applicant Paul Kangas Case No. 87-67-PP/SP/COP
 Property Description Fm 740 / Horizon
 Case Subject Matter COP for gas sales as an
accessory to a retail use

CASE ACTION

	<u>Approved</u>	<u>Disapproved</u>	<u>Tabled</u>
Date to P&Z <u>11/12</u>			<u>X</u>
Conditions <u>Architectural Bd of Review - 11/30</u>			

Date to City Council _____
 Conditions _____

Ordinance no. _____ Date _____

ITEMS IN FILE

Zoning Cases

- ☒ Application
- ☒ Site Plan
- ☒ Filing Fee
- ☒ Notice to Paper
- ☒ Notice to Residents
- ☒ List of Residents Notified
- ☒ Residents' Responses
- ☐ Consultant's Review
- ☒ Agenda Notes
- ☐ Minutes
- ☐ Ordinance
- ☒ Correspondence
- ☒ Applicant Receipts

Plat/Site Plan Cases

- ☐ Application
- ☐ Filing Fee
- ☐ Plat/Plan
- ☐ Engineer's Review
- ☐ Consultant's Review
- ☐ Agenda Notes
- ☐ Minutes
- ☐ Correspondence
- ☐ County File Number
- ☐ Applicant Receipts